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THE MORNING HERALD

THIRTY-FOURTH YEAR.

LEXINGTON, KENTUCKY, TUESDAY, JANUARY 5, 1904.

NO. 5.

Weather.
Fair Tuesday. Wednesday rain
or snow, rising temperature.

NEW MAYOR TAKES OATH

Impressive Ceremonies at
the City Building.

THE OATH ADMINISTERED

By the Retiring Chief Executive,
Whose Valedictory Was Followed
by Address by Successor—Prominent
Men Made Speeches and a
Lunch Was Served—An Historic
Occasion.

Mr. Thomas A. Combs became Mayor of the city of Lexington at 8:16 o'clock last night when, the oath of office administered, his predecessor placed in his hands the keys. His inauguration was attended by ceremonies which are unusual. They became the occasion and were strikingly impressive. Surrounded by a large gathering of friends and officials in the chamber in which his official life had begun, bearing the trust and the good wishes of every citizen, he put on the armor of Chief Executive. In the act a new administration began and a page in history was turned. He assumes grave responsibilities, but those who have known him best and longest are most confident that he is worthy and qualified.

The exercises consisted of invocation by Dean Lee, speeches by the retiring and incoming Mayor, the administering of the oath of office to ministerial officers, speeches by prominent men and a lunch, a levee in the Mayor's office, where good cheer reigned and congratulations were showered upon the young Mayor and good wishes were extended to the gentleman who had just surrendered the mantle.

Details of the Inauguration.
At 7:30 o'clock the Committee on Arrangements with Dean Lee, Lee entered the chamber of the Board of Councilmen and occupied seats on the rostrum. Chairman Hobbs was behind the President's desk. To his right was Dean Lee and Alderman Downing and to his left, Councilmen Watkins and McCarty. The seats within the railing were occupied by city officials, and the lobby and Alderman's chamber, the dividing doors to which had been opened, were packed.

At 7:35 there was a stir in the lobby followed by cheering and Mayor Duncan, with Mr. Combs on his arm, appeared. They advanced up the aisle to a position in front of the chairman. Mayor Duncan wore on his coat a beautiful rose, which a friend had presented him, and on Mr. Combs' lapel was the medallion of his little daughter, Miss May Combs, which is seldom absent from her devoted father's coat. The assemblage rose and Chairman Hobbs asked Dean Lee to pronounce the invocation.

A Beautiful Prayer.
The prayer was beautiful and was characteristic of the man in its exquisite appropriateness. He asked help in all that men undertake; expressed gratitude that the committee had seen fit to open the ceremonies

with an appeal for divine aid and guidance, and expressed gratitude for the advantages and blessings with which citizens are surrounded. Being on the threshold of a new administration just as that of a New Year had been crossed, he asked a blessing on all those who had a part or interest in the retiring Mayor, that his life as a citizen might be peaceful and happy and useful; on the incoming Mayor, that he might enjoy health and strength and success, and that he might have the character and manhood and courage to do right and only what is right. For the city he asked prosperity, and prayed that irrespective of politics or factions citizens should unite in support of the man who is to be the Mayor of the whole people; that harmony in political affairs should reign, and that past differences should be buried. He prayed that officials might realize that their trust was a public, not a private one; that they were stewards of God. He then paid a beautiful tribute to the late W. S. Houston, who was one of the opponents of the new Mayor. In remembering the suddenness of his death, as the beauty of his life he prayed that all might feel that their surrender of the trusts of this life is suddenly. He prayed that each might feel that God was looking over his shoulder and that he might ever be ready to give an accounting.

Mayor Duncan's Address.
When he had concluded Mayor Duncan and Mr. Combs stood apart, facing one another and Mayor Duncan delivered his valedictory. After his words of greeting to Mr. Combs he administered the oath and then formally handed to him the keys of the Mayor's office. His address follows:

"Mr. Combs, I am gratified that you selected me for the agreeable duty of administering to you the constitutional oath of office. You take this office under the most favorable conditions. You were selected without opposition, had the endorsement of both political parties and received the largest popular vote ever given for a Mayor of this city. I welcome you to the trials, difficulties and pleasures, that follow as day does the night, the office of Mayor.

(Administers oath.)
"Mayor Combs, I now turn over to you the keys of the city. I turn over to you an almost perfect system of accounting for the revenues of the city and their disbursement. It is a system of checks and balances that are pronounced ironclad. Our system was prepared by me. It has been adopted in a large number of other places.

"I turn over to you a police force tried and true; one that is unsurpassed in the sterling qualities of courage, fidelity and obedience.

"I turn over to you a fire department force that is brave, determined and capable. They have been trained in the school of experience and know above all things how to answer fire alarms in the quickest possible time, and how to put out fires. During the past two years they have put out 113 fires, with a fire loss of \$24,729. This record can not be equaled in any city of this country of the size of Lexington.

"This department is now under civil service rules and the members of the department can no longer be removed with or without cause. Civil service was first started in national affairs by George H. Pendleton, Ohio's great Democratic leader. It has steadily grown in popular favor and in its extent year after year, until now there are over 14,000 Federal officials holding under civil service.

"This is an important question; not so much for the men as it is for the property owners in Lexington. They demanded experience and capacity in the department, and it was in obedience to this demand that the General Assembly in 1900 changed the statutes so as to place the members of the fire department under civil service.

"Mr. Mayor, accept my congratulations. Whenever I can be of any service to you, please command me."

When the applause had subsided, Mayor Combs delivered his inaugural address, which follows:

Mayor Combs' Address.
"Mr. Chairman, Friends and Fellow

Citizens:—In assuming the Executive Chair of this splendid city, I have but one end to attain, one purpose to subserve—that is to fill the high and honorable office to which I have been elevated by the kind partiality of my friends and fellow citizens in such a manner that when I step down and out all may say, 'Well done, good and faithful servant.'

"In assuming the reins of Government I bury in oblivion the animosities, strifes, and factional fights emanating from petty political differences, and, looking to the future, behold only peace and tranquility, the harbingers of such good and lasting prosperity to all people.

"It shall be my aim and purpose to administer the affairs of the city upon strictly business principles, and along the most economical lines consistent with the growing and ever increasing importance of this, the Queen City of the most splendid country on earth. In accomplishing this laudable purpose and worthy end, may I not call upon every citizen within the corporate limits of our city to lend a helping hand and a generous support?

"The policy of my administration may be outlined in the simple sentence, 'The greatest good to the greatest number of people.'

"I assure you again, as I have often done before, of the deep and lasting appreciation I bear for each and every one who so kindly gave me his generous and loyal assistance and support, and of the charitable consideration I have for those who opposed me."

There was vigorous cheering and handclapping when the new Mayor had concluded. Mr. Hobbs then called on the various ministerial officers to come forward and receive the oath of office from Mayor Combs.

Flowers Presented.
As they were assembling about him, friends bore in a number of beautiful bouquets which brought congratulations from out-of-town well-wishers. Dean Lee presented them in a few happy words. "I have looked over all the cards with the critical eye of a parson," he said, "and you can take them as well as the flowers home to Mrs. Combs. They are from your gentlemen friends. In these bouquets I see symbols of only what is good and beautiful. The white blossoms stand for the purity which I believe will characterize your actions; the red for the good crimson blood of true manhood that makes us all brothers. In the bouquets I see no yellow. I see none in you, and do not believe that there will be any in your administration."

Oaths Administered.
Mayor Combs then administered the oath to the following officers: Solicitor W. Rogers Clay, City Attorney George C. Morgan, Clerk J. Ernest Cassidy, Jailor John W. Masner, Treasurer P. J. Garland, Engineer P. P. O'Neill, Assessor John P. Doyle, Police Clerk Wm. Tomick, Aldermen John Scott, J. I. Bright, Fred Lazarus and W. B. Cassell; Councilmen Matt Toner, John Skala, John Miner, J. D. Scott and M. Dowd.

The administering of the oath to Aldermen Bright and Lazarus was of special interest, inasmuch as their eligibility had been challenged by the retiring Mayor because they were members of the Board of Education when elected to the Board of Aldermen.

Col. Allen Speaks.
Chairman Hobbs introduced Col. John R. Allen, who, by reason of the crash, had just been able to make his way into the chamber. He said that he had not been able to see what had taken place, but that he knew at a glance that a new Mayor had been installed and that a new administration had begun. "I greet it and the young, progressive business man at its head with my heartiest good wishes. In its birth I believe that a greater future for Lexington begins to unfold; I believe that the government

met today to vote on the matter of recommending or disapproving confirmation. Senators Hawley, Proctor, Foraker, Quarles, Warren and Alger, Republicans, and Cockrell and Pettus, Democrats, voted for a favorable report, while Scott, Republican, and Blackburn, Democrats, voted against the confirmation. Hawley and Proctor were absent and voted by proxies, and the vote of Senator Baile was recorded when he returns to Washington tomorrow.

(Continued on Sixth page.)

MOONEY TO GET PLACE

Popular Man for Superintendent of Public Works.

W. A. JESSE FIRE CHIEF

His Appointment More Remote Than That of Mr. Moore, but is Regarded as a Certainty—J. J. O'Brien Will Become Mayor's Clerk at Once.

Mr. Patrick Mooney, of the firm of Mooney & Blair, proprietors of the Navarre, will be the next Superintendent of Public Works. He will be appointed in the near future, succeeding Mr. John McDowell Ross.

Mr. Mooney has before served the city as Alderman and Councilman, and is well acquainted with the duties which he will assume. He is a man of ability and determination, who has made a success of everything which he has ever undertaken, and those who know him share Mr. Combs' confidence that he will perform well and faithfully the work to which he will be called.

Mr. J. J. O'Brien will be Mayor's clerk and his will probably be the first appointment of the new Mayor. He is well qualified for the position and Mr. Combs is to be congratulated upon securing him.

It can not be stated upon authority, but it is a certainty that ex-Chief W. A. Jesse will be the next Chief of the fire department, succeeding Chief George W. Muir, who has served long and meritoriously. This change is more remote than that in the office of the Superintendent of Public Works. No changes in minor positions are likely to occur for some time. It is understood that the police department will remain practically unchanged for the present.

It is likely that Charles Merriwether, of Louisville, an expert bookkeeper, will make the examination of records which attends a change in administration.

FAVORABLE REPORT ON WOOD'S CONFIRMATION.

WASHINGTON, D. C., Jan. 4.—(Associated Press.)—Senator Foraker, a member of the Committee on Military Affairs, in executive session today submitted a brief in favor of Brig. General Wood's confirmation to be Major General and eight of the eleven members of the committee have concurred in this report. The committee

COAL TO BURN JUSTICE

met today to vote on the matter of recommending or disapproving confirmation. Senators Hawley, Proctor, Foraker, Quarles, Warren and Alger, Republicans, and Cockrell and Pettus, Democrats, voted for a favorable report, while Scott, Republican, and Blackburn, Democrats, voted against the confirmation. Hawley and Proctor were absent and voted by proxies, and the vote of Senator Baile was recorded when he returns to Washington tomorrow.

When the caucuses resumed business James E. Stone, of Breckinridge, was unanimously nominated as clerk.

The following nominations for minor offices were made: Clerk, James E. Stone, of Breckinridge; assistant clerk, M. F. Pogue, of Crittenden; enrolling clerk, Miss Amy Lyons, of Jessamine; sergeant-at-arms, C. W. Longmire, of Lexington; doorkeeper, A. C. Dunn of Lincoln; janitor, Charles Parrish, of Lexington; cloak room keeper, James Knox, of Hancock county; and Nelson Weedon, of Fleming.

The only surprise in the Senate caucus was the withdrawal of Senator George W. Hickman, of Meigs county, from the race for chairman and the unanimous nomination of Senator J. Campbell Cantrill, of Scott. Senator J. Embury Allen, of Fayette, was without opposition for the nomination of president pro tempore.

The following nominations for minor offices were made: Clerk, William Cronwell, of Frankfort; enrolling clerk, Miss Jennie McDonald, of Frankfort; assistant clerk, W. O. Jones, of Grayson; sergeant-at-arms, G. B. Swango, of Green; doorkeeper, James McWhorter, of Marshall; cloak room keeper, James Edwards, of

Haynes McFadden, who is on the staff of the Courier-Journal, and who accompanied the "night owl" special train to Lexington yesterday morning, reports a remarkable case of theft from the railroad company at a small station three miles beyond Shelbyville. At that point the passenger train met a freight train which was so long that it was decided to put the passenger train on the sidetrack. It was discovered after the night owl had got nearly clear of the main track that some one had stolen a steel rail from the switch track and it was necessary for part of the freight train to get on the sidetrack and the trains saw-sawed past each other.

At the superintendent's office of the Southern Railway it was said that no information had been received as to the stolen rail. The night owl arrived here forty minutes late.

See ALEXANDER before you SLIP.

BROWN FOR SPEAKER

Was Nominated on First Ballot With 43 Votes.

MAJ. ALLEN ALSO CHOSEN

Fayette Senator Will Be President Pro Tempore of Senate—Captain Longmire Renominated for Sergeant-at-Arms—Agreement Reached to Make John Payne Speaker's Page.

FRANKFORT, Ky., Jan. 4.—(Special.)—Ell Brown, of Nelson county, will be Speaker of the House of Representatives at the session of the General Assembly which convenes tomorrow and Major J. Embury Allen, of Lexington, will be President pro tempore of the Senate.

The names of Brown, Herman Newcombs and E. E. Barton were voted upon on the first ballot.

Allen had no opposition. The two Houses will meet tomorrow to elect caucus nominees and receive Governor Beckham's message.

The Democratic majority of the House of the General Assembly organized tonight for the opening session tomorrow. Ell W. Brown, the candidate backed by Governor Beckham and the State administration, was nominated on the first ballot for Speaker of the Lower House. Campbell Cantrill, of Scott county, and Henry Lawrence, of Trigg county, both administration representatives, were selected as the chairmen of the Senate and House caucuses of the party forces, and will be the leaders on the floor. At a caucus of the Republican minority members of the House Dr. W. C. Black, of Knox county, was named as minority leader.

The Democratic House caucus was held at 8:15 o'clock by Chairman Allie Young, Henry Lawrence, of Trigg, Brown candidate for chairman, was elected by 44 votes on the first ballot, defeating Rainey I. Wells, of Calloway, nominated by Newcombs. This indicated a coming victory for Brown in the Speakership race.

James E. Stone, of Breckinridge, and Henry Ware, of Frankfort, were elected secretaries and C. W. Longmire, of Lexington, was elected sergeant-at-arms without opposition.

The first ballot in the Speakership race was Brown 43, Newcomb 18, Barton 15. Brown was declared the winner, 39 being necessary to elect.

Newcomb and Barton escorted Brown to the Speaker's chair and Newcomb introduced him, congratulating the victor. Brown made a brief

RAIL

speech thanking his supporters and assuring the opposition of his good will.

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Webster; janitor, James Richardson, of Meade; pages, Gates Young, of Milan; John F. Pears and Charles Hay, of Boyle.

John F. O. Payne, the young son of Justice John B. Payne, of Lexington, withdrew from the race for floor page of the House, an agreement having been reached to make him Speaker's page tomorrow.

The four pages nominated were Robert Martin, of Knott; Raymond Oliver, of Lyon; Ernest Ranker, of Harrison; and Herbert Crawlen, of Louisville. The caucus adjourned at 2:30 a. m.

The new State officials today assumed charge of the affairs of the government of the Commonwealth, the transfer of the offices having taken place this morning. The Hon. J. Morgan Chinn, the new Clerk of the Court of Appeals, was the first official sworn in, and he in turn administered the oath of office to the following:

Auditor Hager, Treasurer Bosworth, Secretary of State McChesney, Superintendent of Public Instruction, and Commissioner of Agriculture Woodard and Insurance Commissioner Prewitt. In addition to these a number of new attaches in the various departments went into office today, among them the following:

Auditor's Office—Clerks, James A. Doyle, Lexington; O. T. Poyntz, Mayfield; G. G. Speer, Anderson county; C. E. Boone, Fleming; Jule Day, of Louisville; Assistant Auditors Hamilton Churchill, of Elizabethtown; Garner Dalton, of Hopkinsville; Charles Wright, of Bowling Green; Ell Berry, of Owensboro. There are four places yet to be disposed of.

Miss Sallie Mahan, of Danville, stenographer.

State Insurance Department—Mott Ayres, of Fulton, Assistant Commissioner; Roy Salmon, of Madisonville; Cabell Bullock, of Lexington, and Miss Susan Tombs, of Frankfort, stenographer.

Auditor's Attorney—C. B. Hill, of Clark county.

Appellate Clerk's Office—Chief Deputy, W. B. O'Connell, Mt. Sterling; second deputy, Louis Evans, Russellville; third deputy, Herman Schwitters; stenographer and copyist, W. G. Baxter, of Louisville.

Secretary of the Railroad Commission—Moses Glenn, of Glenville.

Secretary of State's Office—Ben Watt, of Bowling Green; Ed Bess, of Lexington county; W. E. Gray, of Frankfort, Assistant Secretary, and Miss Lillian Towles, of Henderson, stenographer.

Treasurer's Office—Thomas Bosworth, of Lexington, Assistant Treasurer.

Agricultural Department—R. C. Creshaw, Assistant; A. B. Ludwig, of Louisville, Labor Inspector; William Young, Covington, Assistant Inspector.

Superintendent of Public Instruction—J. H. Fuqua; first clerk, Harry G. Tandy, of Paducah.

CAR BARN MURDERERS TO BE TRIED.

CHICAGO, Ill., Jan. 4.—(Associated Press.)—Wednesday morning the cases of Marx, Roedel, Vandine and Niedermeier will be called for trial before Judge Kertson. The first cases to be tried will be that of the murders of Stewart and Johnson, employees of the Chicago Railway Company, at the time of the robbery of the car barns.

TWO BARGES LOST.

NEWPORT NEWS, Va., Jan. 4.—(Associated Press.)—The barges New Jersey and Liberty, which left here in tow of the tug Navigator Friday, are lost in the storm. Both barges are supposed to have gone down with all on board.

RECEPTION IN TAFT'S HONOR.

TOKIO, Jan. 4.—(Associated Press.)—Judge Wm. H. Taft, recently Civil Governor of the Philippines, was given a dinner tonight by United States Minister Grissom at the Legation. The dinner was followed by a brilliant reception, which was attended by some members of the royal family.

MANY ARE HOMELESS.

CHICAGO, Ill., Jan. 4.—(Associated Press.)—In the burning this evening of the Delaware apartment building 150 persons were rendered homeless. There were many narrow escapes from death in the flames. The loss will be \$20,000.

NEW EXIT TO BE OPENED

Plans Outlined for Safety of Theater-Goers.

INTERVIEW WITH MR. SCOTT

Opera House Manager Has Secured Control of Property Contiguous to Theater and Will Make Provisions for Safety of Patrons—Fire Proof Curtain Will Be Put In.

Charles Scott, manager of the Lexington Opera House, has completed negotiations with the Broadway Real Estate Company, by which he has secured a strip twenty feet wide running from the opera house to Short street, which will greatly facilitate the handling of large crowds in the opera house and minimize the danger in case of fire. The balcony and gallery will be provided with another exit to be used all the time, which will be ten feet wide and open into Short street. Another exit will be provided from the balcony opening on the north side adjoining the Elks Club, and the present entrance to the gallery can also be utilized for an exit. Mr. Scott said yesterday:

"These improvements have been in contemplation for four or five years, but I could not get the property owners to make any concessions making them possible. The work on the change will begin as soon as I can get contractors to accept the work, and will be finished within ten days or two weeks. With the present facilities, there will be absolutely no danger from fire when the improvements are made. In the balcony there are four windows opening onto a low, flat metal roof not three feet below the windows, which are really better than fire escapes.

"In addition to the foyer exit, there will be a ten-foot exit into Short street on the south side, one on the north side adjoining the Elks Club and the present entrance to the gallery will be used in an emergency, which gives eight exits from the gallery. The gallery will be provided with three escapes: The ten-foot exit into Short street, the present entrance and the fire escape on the north side. The parquette will have besides the exit opening into the foyer and the five other exits, a large door opening into the court of Luxon's drug store and Cunningham's paper store on the south side. This is for the addition of the down stairs alone, and besides these exits there is a large door in the rear of the stage and two other stage exits. I will have a red light above all exits and a sign marked 'exit' at every one, so that in event of a fire every one will have no difficulty in finding where to get out. I am going to have an asbestos or steel roll curtain in the front of the stage, to be used in case of fire, in order to protect the audience from the flames should the fire originate on the stage.

"The stage hands are drilled for a fire, so that if one should break out they would fight it almost as systematically as firemen. We have a special telephone running to the fire department, which is tested every night before the doors are opened, so that in the event of a fire we can get the fire department without waiting for central to give us connection. Water in buckets is kept in all parts of the building, water barrels are kept filled

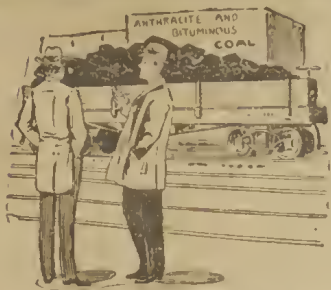
(Continued on Sixth Page.)

For The New Year

Our Resolution is to try to serve you even better than in the past.

With increased stock, better facilities and added departments we await the pleasure of your orders.

VICTOR BOGAERT
Jeweler and Importer.

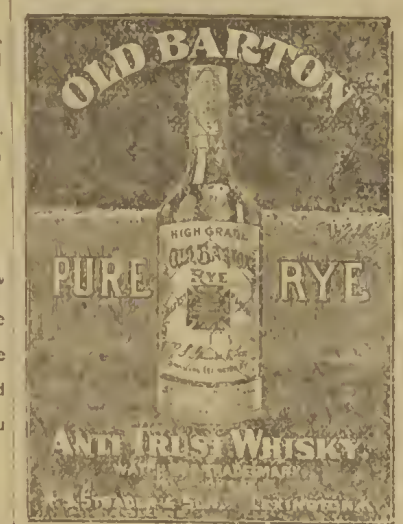


BUFORD A. GRAVES

PHONES 975.

WHEN WE BUY COAL

We act as your advanced agent; we insist upon getting the best, and as we know the difference between good and poor coal, we get the best—so do you if you buy from us.



CLEARANCE SALE

20 PER CENT. 1-5 OFF

In order to reduce our stock before taking inventory
Watches, Clocks, Jewelry, Sterling Silver, Plated Ware, Cut Glass and Bronze Statuary.

KING & METZGER,
Manufacturing Opticians and Jewelers,
145 W. MAIN STREET.

THE MORNING HERALD

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DESHA BRECKINRIDGE.....Manager

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TUESDAY, JANUARY 5, 1904

ANNOUNCEMENTS FOR COUNTY JUDGE.

Judge Frank A. Bullock announces his candidacy for the office of Judge of Fayette county, subject to the action of the Democratic primary February 16.

FOR SHERIFF.

John McElroy announces his candidacy for the office of Sheriff of Fayette county, subject to the action of the Democratic primary on February 16.

FOR COUNTY CLERK.

P. D. Foster is a candidate for County Clerk, with Thomas C. Bradley, John T. Doyle, Nelson Haley and James H. Applegate as deputies, subject to the action of the Democratic party.

Theo. Lewis announces himself a candidate for County Clerk of Fayette county, with Geo. B. Ott, John J. Galvin, Con J. Reagan, Faust Koushee and W. B. Cassell as deputies, subject to the action of the Democratic party.

FOR ASSESSOR.

The Herald is authorized to announce the candidacy of John W. Bain for County Assessor, with John J. McKenna and J. N. Barker as deputies, subject to the action of the Democratic party.

David Reed hereby announces his candidacy for County Assessor, subject to the action of the Democratic party. Deputies Garrett Welch and Ed Minor.

The Herald is hereby authorized to announce the candidacy of W. H. McCorkle for the Democratic nomination for Assessor of Fayette county.

The Herald is authorized to announce the candidacy of W. P. Kimball as candidate for County Assessor, subject to the action of the Democratic party.

FOR COUNTY ATTORNEY.

The Herald is hereby authorized to announce W. P. Kimball as candidate for the Democratic nomination for County Attorney.

FOR JAILER.

The Herald is authorized to announce Rayburn Baker as candidate for the Democratic nomination for Jailer, with E. B. (Black) Ryan as deputy.

The Herald is authorized to announce that W. J. Ahern is a candidate for Jailer of Fayette county with R. T. Wallace and William Thornton as deputies, subject to the action of the Democratic party.

FOR CITY REPRESENTATIVE.

The Herald is authorized to announce W. P. Blair candidate for re-election as Representative to the Kentucky Legislature from the city of Lexington, subject to the action of the Democratic party.

FOR POLICE JUDGE.

The Herald is authorized to announce Judge John J. Riley a candidate for re-election as Judge of the Police Court of the City of Lexington, subject to the action of the Democratic party.

FOR MAGISTRATE.

Ben D. Bell authorizes The Herald to announce his candidacy for re-election as Magistrate from the First Ward, subject to the action of the Democratic primary February 16.

John McD. Ross announces himself a candidate for Magistrate from the Second Magisterial District, subject to the action of the Democratic primary to be held January 16, 1904.

The Herald is authorized to announce Frank Sloan a candidate for Magistrate from the Second District, subject to the action of the Democratic primary.

The Herald is authorized to announce John B. Payne as a candidate for re-election as Magistrate from the Second Magisterial District, subject to the action of the Democratic primary, February 16, 1904.

Squire Abner O'Ham is a candidate to succeed himself as Magistrate for the Fifth Magisterial District, subject to the action of the Democratic party.

Squire A. I. Gorham announces his candidacy for re-election as Magistrate in District No. 8, subject to the action of the Democratic party.

WHAT WILL THIS YEAR BRING?

What the coming year holds for those fortunate enough to be in the full flush of maturity—what it will bring to those who are active in the affairs of life, it is impossible to foresee. The year nineteen hundred and three was a year of anxiety, of trouble, of not of loss to the great majority of those engaged in active business. In Central Kentucky it was a year in which the farmers raised one of the poorest crops raised in years; the prices for the crops were high, but there were many farmers who have had to draw upon their reserve funds to pay their expenses for the year. Many a man who had invested a part of his surplus in stocks of the newly formed corporations at the high prices of 1901 and 1902 has seen the prices shrink nearly fifty per cent. so that he feels that much poorer, even though he is in fact just as well off, as he is if he bought the stocks outright and they are paying their regular dividends. And yet the merchants of Lexington had, as a rule, the most prosperous year in their history; all who have kept abreast of the times, who have been progressive, enterprising and who have the confidence of the public, had a prosperous year. The country as a whole is prosperous—the South with cotton at the highest price in many years, better off than it has been since the war. The coming year holds every promise of being better than the past in many ways. With a presidential election coming on, it may see the prices for stocks lower even than they are now, but the real business of the country is in a much more satisfactory condition than it was six, or even two, years ago. With even fairly good crops this year it will do much to blot out the memory of the anxiety of last year.

Some of the events of world-wide importance which this year will see are outlined by another as follows:

"Seldom in the opening of a year have so many happenings of world import been just ahead of us as appear to be booked for the cycle which begins this morning. The largest of these is the beginning of the final work of Panama canal construction, which will bring to accomplishment a dream which dates almost as far back as the day on which Balboa, from the top of his 'peak in Darien,' the earliest of civilized men in the Western Hemisphere who had this privilege, got his first glimpse of the South Sea. Some of the consequences, political and social, of this event, stand a chance to assert themselves before 1904 ends. The new Republic of Panama will adopt its constitution early in the year, and the United States, with the strip of land on each side of the canal's course, will make its first accession of territory in Central America. The Danish Islands are already bringing pressure on the Copenhagen government to reopen the negotiations for their sale to the United States. Santo Domingo, with its three rebellions raging simultaneously, is preparing itself and the world for that intervention by the United States in the interest of civilization which can not much longer be delayed, and which may come before 1904 closes.

"That long threatened war between Japan and Russia for supremacy in Korea threatens to start before 1904 is many weeks old, and if it comes, it may have consequences for Asia and the world which are not dreamed of now, and in which the United States, as an Asiatic power, through its possession of the Philippines, may have more than a sentimental interest. One of the war's results, if war takes place, promises to be the beginning of the formal partition of China, which the United States and some of the other countries are anxious to prevent. Another consequence of the war may be that England may make the advance on Tibet for which Russia's participation in the Japanese conflict will give her a free hand. Macedonia's postponed insurrection

is to be renewed on a large scale, so the Balkan prophets have been telling the world, as soon as the snow leaves the mountain gorges in the spring of 1904, and if this begins. It may start a blaze of rebellion which may involve all of Turkey's subject provinces and draw in some of the great nations of Europe. Recent manifestations show that France is on the eve of making a complete severance between Church and State, which will place her in line with the American Republic in this respect.

"In the United States, the leading event of 1904 will be the World's Fair, which will likewise have an interest for the rest of the globe. A presidential election will take place in the year which will not only be of profound concern to our own people of all parties and all localities, but which will attract the attention of every other country. We are assured from Pekin that the ratification by the emperor of the Chinese commercial treaty with the United States is soon to take place, which will give us a new interest in the big empire. Menelik, Emperor of Abyssinia, has signed a commercial treaty by which his empire is, for the first time, opened to trade with the United States. A new Anglo-American dispute is pending, that which will determine whether Hudson's Bay is to be considered a closed sea, and which promises to excite almost as much interest in the United States as did that controversy, closed a few months ago, about the boundary of the panhandle of Alaska, and much greater interest in the outer world. This year Mexico, it is believed, is to begin the readjustment of its currency system, which will place her with the United States and the rest of the world's great nations on the gold basis. So far as human foresight can perceive, a decidedly important chapter in time's big book will be written by the year 1904."

THE ACTION OF THE S. I. A. A.

The letter from Dr. Wm. L. Dudley, the president of the Southern Intercollegiate Athletic Association, to the Rev. Dr. L. H. Blanton, vice president of Central University, published in yesterday's Herald, and in which the fact was stated for the first time that Kentucky University and the Agricultural and Mechanical College of Kentucky had been, and that Central University had not been, blacklisted by the S. I. A. A., is an unwelcome news to the friends of the two Lexington colleges. And while it is no more than these colleges deserve, and neither of them has a right to complain at the action taken by the Southern Athletic Association, it is a cause for sincere regret. It was due to the faculty and students of Central University that the fact be published that that institution had not been blacklisted. The faculty of Central University made every effort last fall to promote pure athletics and in good faith insisted that only bona fide students should play on its football team, and we believe that Dr. Blanton expresses the sentiment of that University when he writes: "Central University planted itself firmly on the platform of clean college athletics at the opening of the season of 1903 and stuck to it. We will have pure college athletics or none at all."

This is the spirit which every college in Kentucky should show and which we believe every college will show hereafter. We believe that both Kentucky University and the A. & M. College had already determined never to play ringers again and regret exceedingly the action of the Southern Intercollegiate Association, which will make it more difficult for these colleges to regain their athletic standing. To the faculty and students of these two colleges the people of Central Kentucky look for examples of fairness, of honesty and of courage, as well as of learning and culture. We know that the vast majority of both the faculty and the students are gentlemen in the best sense of that much-abused word and that they regret the action the spirit of bitter rivalry between the two colleges prompted and seemed to justify. We hope that there will be formed in Kentucky an Intercollegiate Association that will set at least as high a standard as has the Southern Intercollegiate Association, and that Kentucky University and the A. & M. College will both join this association and within a very short time wipe out the memory of the last Thanksgiving game. It is a matter of serious importance, not only to those colleges, but to the people of Kentucky, that they maintain as high a standard in athletics as in scholarship and they owe it to themselves to wipe this blot from their record at the earliest possible moment by sportsmanlike conduct that will regain for them the respect of all who take interest not only in football, but in the rising generation of Kentuckians.

IMPROVEMENTS IN THE OPERA HOUSE.

In the news columns of this issue will be found the details of the steps Mr. Charles Scott, the owner of the opera house, has taken and intends to take to prevent any danger from either fire or panic. During the past

several years we have pointed out that with the present exits there was grave danger of a panic at the opera house in which lives would be lost. We have known that Mr. Scott has at various times tried to secure another exit and that he was anxious to do what was necessary to remove all chance of a panic. He has secured the right to make an exit to Short street, and we believe will at once take steps to remove all danger. He fully realizes the obligation he is under to do so, and we believe he will do so. As we have called attention to the dangers of the present arrangements, we will take pleasure in giving full accounts of the improvements he makes. It is well to call attention at the present time to the fact that the officials of the city, including the Chief of the Fire Department, are as responsible for any lack of proper safeguards in any building as the owner of that building.

"SO MOT I THE"

"Now there is one thing about this credit business," said a prominent merchant yesterday, "that is particularly objectionable and one that I can not for the life of me understand, and that is the fact that most people dislike to have a collector call upon them and present an account. Their reception of the collector is strangely inconsistent with their affable manner and ready promises when they call upon a merchant and ask him to sell them goods on credit. They will drop into one's place of business with a smile on their mugs that would do justice to Al G. Field, and in the most charming manner engage the proprietor in a conversation which they carefully turn toward the desired end—the securing of certain of the proprietor's goods without the immediate necessity of forking over any coin.

"Granted that the merchant sends them the goods, now watch their treatment of that same gentleman's collector when he rings the door-bell and presents the bill. Nine of every ten of them will scowl at the poor collector as if he were some strange beast, snatch the bill from his hand, glance at it, tell him in their most insulting tone to present it some other time, maybe next week, maybe next month, and slam the door in his face. Some of them will even go to the extent of upbraiding and abusing the collector, when a moment's sober thought would apprise them of the fact that he is instructed to present that bill and by so doing makes his very bread and meat. Now what do you think of persons who will do that way?"

The reporter promptly said that they ought to be hanged, every one of them, and very gallantly thanked the man for the ten-center which he passed over the counter.

MR. ZITT

SELLS HIS INTEREST IN BREWERY TO MR. GUND, WHO BECOMES SOLE PROPRIETOR.

Mr. J. H. Zitt, by whom the plant of the Lexington Brewing Company was built and under whose management it has since been, has sold his interest in the business and will leave Lexington the latter part of January. Mr. John Gund, Jr., who came to Lexington last July and purchased the interest of Mr. F. C. Lang in the brewery, now takes Mr. Zitt's interest also, becoming sole proprietor and manager of the business.

At the time Mr. Gund purchased Mr. Lang's interest, it was mutually agreed that he should at this time take over the interest of Mr. Zitt, and since then he has been in charge of the business and has become thoroughly familiar with the territory.

Mr. Zitt's retirement is actuated solely by ill-health. He said to The Herald last night: "I had expected to work until I was fifty years of age, but the development of acute bronchitis with which this climate does not agree, determined me some time ago to get out of active business. I shall spend my time henceforth in travel and sight-seeing. It is with deep regret I leave Lexington. The ties formed here are among the strongest of my life and I dislike to break them. But my health demands the step I am taking. Mr. Gund has my best wishes, my warm friendship and my firm confidence in his success."

Mr. Zitt's retirement from Lexington is a distinct loss to the business interests of the city. There has never been a more progressive or a more liberal citizen. Coming here an absolute stranger, he has won hosts of friends and the respect and esteem of the entire community. His departure will be regretted universally.

Mr. Gund has made friends of all

the acquaintances made during his six months of residence here. He comes of a family of wealthy and successful brewers, is thoroughly conversant with the details of his business and believes in the future of Lexington and Central Kentucky. Under his ownership and management the Lexington Brewing Co. is certain to enjoy the splendid growth and the increased prosperity for which so excellent a foundation has already been laid.

CITY HALL CHAT

R. C. Stoll, chairman, and J. E. Newby and Edward Battaglia, composing the Board of Equalization, began their week's session in the Council chamber at the city hall yesterday. They will review the Assessor's books and hear complaints of taxpayers. The assessed valuation of property this year is \$18,245,696, \$12,996,155 realty and \$5,249,541 personalty. Last year the total was \$17,573,024.

Mayor Duncan was busy yesterday assorting private papers and having his possessions transferred to his home. He and his successor spent several hours together during the forenoon discussing city affairs. There were numerous callers who had many good wishes to offer both gentlemen. Janitor Bob Graves spent the day in giving a new polish to the rooms, devoting especial attention to the Mayor's office, and all was neat as a pin when he had finished his labors.

In the treasurer's office all hands spent a busy day accommodating a rush of taxpayers and perfecting arrangements for the transfer of the office to Treasurer Garland.

Police Court Clerk Croghan still has several weeks to his credit to complete his four years, his election being delayed, and Clerk-elect Wm. Hennick will not go into office at the regular time.

Treasurer Garland yesterday announced his determination to appoint the Phoenix National Bank depository. The City National Bank has been depository.

The new General Council will be called in special session for organization either tonight or Wednesday night. The first regular meeting is Thursday night, and Mayor Combs wants the boards to be ready to undertake the business of the new year.

CASTORIA.
The Kind You Have Always Bought
Bears the Signature of
Dr. J. C. Ayer

NEW EDITOR FOR OBSERVER.

The Lexington Observer and Tobacco Growers Journal has a new editor, Mr. Richard McGregor, of Princeton, Ky., who assumed charge yesterday morning. Mr. John B. Harris, the former editor, resigned last Friday.

Mr. McGregor is an experienced newspaper man and comes highly recommended. He was with the Princeton Chronicle five years, with the Princeton Leader one year, and with the Indiana News-Democrat one year.

Mr. McGregor has assumed the duties of his position, and his family will remove to Lexington January 15.

FORCE
Satisfies
taste and appetite

GOLD MEDAL
Pan-American Exposition.



For the quick preparation of a delicious drink, for making Chocolate Icing or for flavoring Ice Cream, Lowney's "Always Ready" Sweet Chocolate Powder has no equal. The fine chocolate quality and properties are present, unadulterated and unimpaired.



In Life Assurance

It Is Important To Deal With

The Right Company

Whether you are buying or selling its contracts. An agent representing a Strong Company will produce a great deal more business than if he represents a weaker company. : : :

A Policy carried in a Strong Company is a safer investment than one carried in a weaker company, and a more profitable one because the funds of the Stronger Company are Better Managed—else, why is it Stronger?

The Equitable Life Assurance Society

Is not only the Strongest Financial Institution in the world, but its finances are Better Managed. (That's the way it got to be the Strongest.)

It is the best known—it has the confidence and support of the best people.

Henry J. Powell,

MANAGER FOR KENTUCKY,
Equitable Building,
LOUISVILLE KENTUCKY

LEXINGTON OFFICES

SHORT AND CHEAPSIDE,
Lexington Kentucky

H. M. FRAZER ELECTRICAL ENGINEER AND CONTRACTOR

NO. 42 McCLELLAND BUILDING.
APPROVED ELECTRICAL MATERIALS AND FITTINGS,
COMPETENT MEN TO INSTALL IT
AND THOROUGH PERSONAL INSPECTION

Are the elements which make lower insurance rates, immunity from fires resulting from defective work and greater convenience to users of electric light and power.

My work is guaranteed to be the best that can be produced. Beware of those who hand you an excessively low bill and with it the "imitation" of better work, which may pass a lenient inspection.

I invite the strictest inspection of my work during and after installation. Let me serve you by talking it over with you, and more efficiently by doing your work. FAYETTE PHONE 1104



Holiday Greetings

to all consumers of LEXINGTON BEER, we trust this includes everybody, if not, when you ask for LEXINGTON BEER, see that you get it. The only BLUE GRASS LAGER, the leader of Beers in age, strength and quality.

LEXINGTON BREWING COMPANY
Phone 540. The Home Brewery



Miss Nettie Blackmore, Minneapolis, tells how any young woman may be permanently cured of monthly pains by taking Lydia E. Pinkham's Vegetable Compound.

"YOUNG WOMEN:—I had frequent headaches of a severe nature, dark spots before my eyes, and at my menstrual periods I suffered untold agony. A member of the lodge advised me to try Lydia E. Pinkham's Vegetable Compound, but I only scorned good advice and felt that my case was hopeless, but she kept at me until I bought a bottle and started taking it. I soon had the best reason in the world to change my opinion of the medicine, as each day my health improved, and finally I was entirely without pain at my menstrual periods. I am most grateful."—NETTIE BLACKMORE, 28 Central Ave., Minneapolis, Minn.—\$5000 for it if original of above letter proving genuineness cannot be produced.

If there is anything about your case about which you would like special advice, write freely to Mrs. Pinkham. She will hold your letter in strict confidence. She can surely help you, for no person in America can speak from a wider experience in treating female ills. She has helped hundreds of thousands of women back to health. Her address is Lynn, Mass.; her advice is free.

NEW MAIN

FROM PUMPING STATION TO CITY A PLAN FOR THE GREATER LEXINGTON.

A report that the Lexington Hydraulic and Manufacturing Company is contemplating the early construction of another trunk main from the pumping station to the city is a possibility somewhat overdrawn. President Alexander Pearson was asked regarding the matter, and said that the time of making such an addition to facilities would be governed by a need that does not now exist. The present main has a daily capacity of 5,000,000 gallons, while the consumption is less than 2,000,000 gallons. While another line would serve the purpose of a reserve in case of accident to the big artery through which the city is now supplied, there can be said to be no real need for it. The possibility of accident is remote, none of a serious or crippling character ever having occurred. When constructed, it is understood that the main will parallel the Richmond like on the right side, or across from the present line.

The company is just completing the new filtering plant, and every facility for furnishing a pure and abundant water supply has been adopted. Lexington is exceptionally fortunate in this important public service.

Headaches From Colds

Laxative Bromo Quinine removes the cause. To get the genuine, call for the full name. 25c.

DR. FENNER'S
Kidney
AND
Backache Cure
ALSO PURIFIES THE BLOOD.
Don't become discouraged. There is a cure for you. If necessary write Dr. Fenner. He has spent a lifetime curing just such cases as yours. All consultations are FREE.
Cured of Backache.

Member of the Business Men's League and one of the best known business men in St. Louis, Mo. Read what Mr. Wand has to say about Dr. Fenner's Kidney and Backache Cure:

"I know what it is to be afflicted with backache and I sympathize with fellow sufferers. After swallowing various and frequent nauseating doses of this and that prescription I decided that if Dr. Fenner's Kidney and Backache Cure could not rid me of those backaches it at least would not do me any harm and I procured a bottle.

"Now the first bottle didn't stop those wearing backaches, but it did afford me great relief. The second bottle, however, did effectually put a stop to those racking backaches. Occasionally they returned when strenuous business affairs exhausted the physical forces, but a dose or two of Dr. Fenner's Cure gave instant relief.

Respectfully,
Thor Wand

Sold by Druggists, 50c. and \$1. Get Cook Book and Treatise on the Kidneys—FREE. M. M. Fenner, M. D., Fredonia, N. Y.

RENICK, THOMPSON & PHILLIPS.

365 South Broadway and Corner Deweese and Third Streets. AND ALL DRUGGISTS.

OFFICERS SWORN IN

Judge Watts Parker Enters Upon Third Term.

CRIMINAL TERM BEGINS

Oaths Administered to Court Officers and Petit Jury Panel Selected. Grand Jury Will Not Be in Session This Month—Former Deputy Clerks Reappointed.

The opening of the January term of the Circuit Court, yesterday, was signalized by entry of Judge Watts Parker upon his third term of office. Judge Parker filed his commission from the Governor and was sworn in by Circuit Clerk James C. Rogers. Mr. Rogers, who was elected last November to a second term, took the oath of office before the County Clerk, R. L. Barker. Messrs. John A. Carter, Jr. and Richard Colbert, who have made themselves thoroughly well liked by the Fayette bar and all who have to do with the Circuit Court, were retained by Mr. Rogers as his deputies and were also sworn in.

Mr. Rogers Clay, the recently elected City Solicitor, took the oath of his office before Deputy Circuit Clerk Colbert. The Sheriff, Mr. J. T. Wilkerson, and his deputies, Messrs. John McElroy, Ben Freeman, Frank Rogers, J. C. Hosworth and C. H. Wilkerson, were then sworn. Of the jurors summoned twenty were accepted as petit jurors. They are:

T. J. White, Jacob Graves, E. R. Parks, J. P. Embree, W. M. Irvine, James McConathy, Edward Faught, P. Drake, John T. Denton, James A. Hulet, C. E. Smith, Frank Gilmore, William Vance, Thomas Johnson, J. E. Bassett, Albert Johnson, William C. Smith, Ed Dowling, John S. Hutsell, B. W. Watkins.

Judge Parker drew ten names from the jury wheel to complete the panel. There will be no grand jury this session as it is a special criminal term for the purpose of disposing of such cases as could not be tried in December, being principally the gaming and investment cases.

Miss Mildred McCann and Mr. William Montgomery were appointed and qualified as examiners, the former to have her office at the Phoenix Hotel, and the latter to be with Attorney H. E. Ross.

The regular routine of motion day occupied the remainder of the morning, but nothing of great importance was passed upon. Today the criminal docket will be taken up, the first case to be called being that of Clarence Gilmore, charged with murder.

County Court.
Renick, Thompson & Phillips took out card and cigarette licenses.

Deeds.
Maria Dorsey (formerly Maria Boswell) and husband, of Los Angeles, California, to Nathan Fletcher, for \$410, a lot on the Mayville turnpike, near city, 45 by 100 feet.

Police Court.
The mourners' bench was uncomfortably filled yesterday by a half dozen back sliders. There were few "confessions," however, and only one term of 60 days was passed out to the wicked.

George Harris got the term. He was accused of hooking a coat, a monkey wrench, a hat and two lap robes. The coat was pawned and the monkey wrench sold. George was sent to the "works."

Daisy Hunter confessed to owing Mary Young a half dollar, but denied having abused and insulted Mary about it. Upon the advice of the Sage of the Police Court, Daisy fished a \$5 from her sock and paid Mary.

Two cases of alleged assault and battery were passed over to allow the victims to recover and testify. George Offutt, charged with beating Michael Kane, will be heard Saturday.

Stoner Biggerstaff, accused of hanging Bettie Henderson with a brick on the same night, will be given a chance to explain tomorrow.

John Jones was alleged to have unlawfully appropriating John Smith's money. Jones made restitution to Smith, however, and the case was fled away.

Fannie Ezell was dismissed, having been arrested at the instance of Mary Lawrence for a fancied grievance.

COURT OF APPEALS.

FRANKFORT, Ky., Jan. 4.—Whole court except Judges Paynter and Barker sitting.

L. & N. Railroad Company vs. Price's adm'r., Oldham; petition for rehearing by appellant and response by appellee filed and submitted.

Aubach's ex'or vs. Read, et al., Kenton; petition for rehearing by appellant filed and submitted.

Lawman vs. Bowman, et al., Monroe; agreement filed, motion to docket, advance and submit filed and submitted.

Franklin vs. Tracy, Jefferson; Litter vs. Johnson's ex'or; Fleming; Prentice vs. Oliver, Marshall; Terry vs. Warden, Barron; Vaughn vs. Justice, et al.; Lawrence, et al., Jefferson; Thompson, Laurel; and Cooper vs. Lanford, Pulaski; brief for appellee filed in each of the above cases.

Manchester Assurance Company vs. Dowell, et al.; Warren; Norman vs. Central Kentucky Asylum; Root vs. Green, Campbell; Asher vs. Uhl, et al.; Franklin, brief for appellant filed in each of the foregoing cases.

Carr vs. Louden & Co., Mason; agreement filed as to briefs.

Greer vs. Greer, Jefferson; mandate amended so as to award 10 per cent damages in amount of judgment superseded.

Brand vs. Brand, Fayette; Davless county vs. Goodwin; Barlickman vs. Barlickman, Oldham; Hardin vs. Roehm vs. Chenault, Madison; Covington Stone and Sand Co. vs. Rose, Dale Electric Light & Power Co., Boone; Lee & Lee, Boone; New York Life Insurance Company vs. Hoard, Mason; Brown & Bro. vs. Lapp, Jefferson; City of Louisville vs. Weinhoff; same vs. Alvey; same vs. Pirtle, agent; same vs. Smith, manager, Jefferson; McConathy vs. Langham, Crittendon; King vs. Greenman, Shelby; Stiles vs. Shurt, Sheriff; Davless; Brooks vs. Paine, Jefferson. Petition for rehearing filed in each of the above cases and submitted.

Horn vs. Carroll, Edmonson; statement filed, motion by appellant to set aside order of dismissal. File brief, which is now tendered, while motion is submitted.

Slomore, et al., vs. Trimble, et al.; Breathitt; appellees filed affidavit in objection to reinstatement of this appeal and the appellant filed an affidavit in support of his motion to reinstate, motion submitted.

L. & N. Railroad Company vs. Logsdon, Hardin; appellees and appellants supplemental briefs filed.

Marion National Bank vs. Commonwealth, Marion; supplemental briefs filed in December noted of record.

McDonald's ex'or vs. McConathy, et al.; Woodford; briefs for both parties filed.

City of Louisville vs. Board of Park Commissioners, Jefferson; agreement filed in clerk's office December 26 is now noted of record.

Smith vs. Pettie, Daviess; Circuit Clerk filed a return of a non est in regard to a return of a non est, herein together with copies called for in said writ and asked for judgment for cost on said writ.

Riley vs. Buchanan, Hardin; agreement filed and fifteen days' further time given to file petition for rehearing.

Lexington Hydraulic and Manufacturing Company vs. Oots, Fayette; supplemental brief filed, noted of record.

Marriman vs. Ohio Valley Telephone Company, Bullitt; appellant given fifteen days further time to file petition for rehearing.

South Covington & Cincinnati Railway vs. Weber, Kenton; agreement filed as to briefs.

Garrett vs. Rives, and Rives vs. Garrett, Christian; agreements filed, extending time to file brief to January 20.

Gorman vs. Kenton; agreement filed, time given until third Monday in January to file brief.

Isom vs. Cornett, Perry; appellant filed brief on petition for rehearing.

Gregory vs. L. & N. Railroad Company, Knox; affidavit of J. L. Jones, Clerk of the Circuit Court, tendered by appellant, appellee objects, and motion submitted, with ten days' leave to the appellee to respond.

Supreme Council K. of E. of the World vs. Hehnman, Kenton; appellant's attorneys, Furber & Jackson, moved leave to withdraw their brief. Motion submitted.

Clay City vs. Abney, Powell; appellee filed copy of judgment and bond and moved to dismiss the appeal. Motion submitted.

Hoskus vs. Morton, Jefferson; petition for rehearing filed by appellant, and leave given to withdraw same with fifteen days to print.

Caryman vs. Carico, Graves; reply brief of appellant filed.

Farady Coal and Coke Company vs. Owens, et al., Whitley; by consent appellee given until February 15, and appellees ten days thereafter to file brief.

Union Benevolent Society vs. Martin, Fayette; appellee filed response to petition for rehearing.

Commission of N. B. Hayes as Attorney General was presented to the court and the oath of office administered to him.

Nat. A. Porter, E. C. Ward, Ben E. Niles and M. Merritt filed sworn as attorneys at law in this court.

Asher vs. L. & N. railroad, Bell; additional transcript filed by consent, and the appellee filed grounds and moved to dismiss the appeal, to which the appellant objected, and the motion

Constipated All His Life.



MR. and MRS. WILBERT THOMPSON, 801 Main St., Peoria, Ill. MULL'S GRAPE TONIC CURED HIM.

Wilbert Thompson never knew a well day until last June—he had been constipated all his life—many doctors treated him, but all failed to even help him—his health failed rapidly and on January 21, 1903, Mrs. Thompson asked us to suggest a treatment for her husband—We thought the case too serious and recommended that a specialist be consulted—but he also failed to help the patient—NOW HE IS WELL.

Mull's Grape Tonic Cured Him

Mrs. Thompson first wrote us as follows: "My husband, aged 27, suffers from sharp pains in his stomach and sometimes thinks it is his heart. I do not know by what causes it to pain, if you can. Mr. Thompson has been treated by several doctors, but they have given him up."

We promptly advised that a first-class specialist be consulted. We wrote: "We want to sell Mull's Grape Tonic, because we know it will cure constipation, but we do not object to us when a human life is at stake, and if your husband's case is as serious as you state, we suggest you send a reliable specialist, not the advertising kind, promptly." At the same time, knowing that Mull's Grape Tonic could do no harm, we advised its use and a physician could be consulted. January 25 Mrs. Thompson wrote that a physician had been consulted. He diagnosed the case as being chronic constipation and constipation. His treatment was followed faithfully, but there was no perceptible improvement in Mr. Thompson's health. Then he began taking Mull's Grape Tonic and on Sept. 3, 1903, we received the following letter from Mrs. Thompson:

"You will remember that I wrote to you last January in regard to my husband's health. It is four months since he quit taking Mull's Grape Tonic for constipation, which he suffered from since birth. He took just 24 bottles of it and is perfectly cured. He is much stronger and has gained considerably in flesh. I cannot thank you enough for Mull's Grape Tonic. It is worth its weight in gold. Just \$12 cured him and he has spent hundreds of dollars with doctors who did him no good. Now I want to state my case to you and expect your early reply. I also have constipation, have had for three years. Kindly let me know as I am sure it will cure me if you say it will, as it did all you claimed it would in my husband's case. I await an early reply."

Very respectfully yours, 1816 W. H. THOMPSON, 801 Main St., Peoria, Ill.

LET US GIVE YOU A 50c. BOTTLE.

This Coupon is good for a 50c. Bottle of Mull's Grape Tonic.

Fill out this coupon and send to the Lightning Medicine Co., 140 Third Ave., New York, N. Y., and you will receive a full size, 50c. bottle of Mull's Grape Tonic.

I have never taken Mull's Grape Tonic, but if you will supply me with a 50c. bottle free, I will take it as directed.

Name _____

Street No. _____

City _____ State _____

GIVE FULL ADDRESS AND WRITE PLAINLY.

SOLD AT ALL DRUG STORES AT 50c. AND \$1.00 A BOTTLE.

is passed to be heard with the case on final submission.

J. Morgan Chinn presented his commission as Clerk of the Court of Appeals, together with his certificate of qualification and his official bonds, and took the oath required by the constitution and laws of this Commonwealth, and thereupon his motion W. B. O'Connell, Henry Schweiters and Louis Evans were appointed as his deputies, and took the required oaths.

Commonwealth vs. Herd, Owsley; on motion of Attorney General a rule is awarded against clerk of this court to show cause why he shall not be required to produce the record herein, to which rule the clerk entered his appearance and filed response.

Jesselson vs. Commonwealth; on motion of the Attorney General rule awarded against the clerk of this court to show cause why he shall not be required to produce the record, to which rule the clerk entered his appearance and filed response.

Walker vs. Commonwealth, Henderson; came the appellee by counsel moved the court to strike the bill of exception from the record here, moved to dismiss the appeal. Motion submitted.

Walton vs. Commonwealth, Marshall; L. & N. Railroad Company vs. same, and same vs. same, Hopkins; submitted.

Knockles vs. Commonwealth, Leslie; passed.

Enright vs. Commonwealth; same vs. same; Reppress vs. same, and same vs. same, dismissed by consent.

Edwards vs. Commonwealth, Perry; appellee filed grounds and moved court to dismiss the appeal, motion submitted.

Powers vs. Commonwealth, passed for oral argument, and set for March 17, with leave to the appellant to file brief by February 10, and appellee by March 17.

Tipton vs. Commonwealth, submitted with ten days' leave to appellant and twenty days to appellee to brief.

Brown vs. Commonwealth, submitted. Court adjourned until Wednesday morning at 11 o'clock.

WILL TRAIN FOR WEST POINT.

Thurston Hughes, of Louisville, a student of State College, and quarter back on the college team, will leave Sunday for Captain Braden's school at Highland Falls on the Hudson, where he will prepare to take the examinations for entrance into West Point.

Mr. Hughes recently received an appointment to West Point by Congressman Swager Sherry, of Louisville. Mr. Hughes has many friends in Lexington who will be glad to hear of his good fortune, and will wish him success.

NEGRESS KILLED BY WHITE MAN.

WINCHESTER, Ky., Jan. 4.—Ella Thomas, a colored woman, was shot and killed at noon by John Hathaway, of Jackson, Ky., who then tried to kill himself. He says he was in love with the woman and because she would not marry him, determined to kill her and himself.

IT'S SO EASY

To keep the stomach healthy, the appetite good, the breath sweet and the bowels open. Just take a dose of Hostetter's Stomach Bitters, before meals and see for yourself. It is also a sure cure for Poor Appetite, Dyspepsia, Indigestion, Heartburn, Liver Complaints, Chills, Colds and Malaria. Try a bottle today, also get a copy of our 1904 Almanac from your druggist. It is free.

HOSTETTER'S STOMACH BITTERS

SHOCK

OF WRECK CAUSED DEATH

COL. T. C. CAMPBELL, NEW YORK LAWYER AND GOEBEL MURDER PROSECUTOR, DIED IN SANITARIUM.

NEW YORK, Jan. 4.—(Associated Press.) Colonel Thomas C. Campbell, a well-known lawyer, who assisted in the prosecution of the Goebel murder cases in Kentucky, died today in a sanatorium in Brooklyn, as the result of his experiences in the schooner yacht the Roamer, which was wrecked December 10 on Rum Cay, in the Bahamas.

Colonel Campbell was brought here yesterday on the Ward liner Orizaba in a dying condition, having been picked up on the Cay, where he and his wife and son, with the members of the yacht's crew, had been shipwrecked.

The yacht, which was owned and commanded by the Colonel's son, Captain George D. Campbell, sailed from Baltimore November 30. Colonel Campbell and his wife were their son's only guests, having gone on the cruise to restore Colonel Campbell's health. The party arrived off Rum Cay December 9, and Captain Campbell went ashore in a small boat. To take him off when he signaled, Mate Phillips ran the yacht in under sail alone. The rudder head had been disabled and she missed stays and was carried on a jagged coral reef. Efforts to get her off by using the gasoline engine and sail were thwarted by a high sea and strong current. Colonel and Mrs. Campbell were taken ashore first. The last boat load of stuff, made up mostly of clothing, was soaked by seas that filled the boat to within two inches of the gunwale.

Colonel Campbell, whose illness, an aneurism of the heart, became serious, was carried into a native hut built of oyster shells and mud. The water on the island, for which the natives charged 50 cents a bucket, was brackish and unpalatable, and increased the Colonel's sickness.

For several days the castaways were on the island Cay living on fruit and other meager provisions. Colonel Campbell suffered greatly through exposure and privation. They were finally taken off in a schooner and landed at Nassau, where eleven days were spent, taking the Orizaba for New York December 30.

After the steamer docked a physician was called.

Advise to the Aged.

Age brings infirmities, such as sluggish bowels, weak kidneys and bladder and TORPID LIVER.

Tutt's Pills

have a specific effect on these organs, stimulating the bowels, causing them to perform their natural functions as in youth and

IMPARTING VIGOR

to the kidneys, bladder and LIVER. They are adapted to old and young.

elan was summoned, and the patient was removed to the private hospital of Dr. Lutz, in Brooklyn.

Sketch of His Career.

T. C. Campbell was born in Rochester, N. Y., in 1845. He entered the Union army at an early age and served throughout the war. After the war was over he practiced law, and finally went to Cincinnati, where he had a most remarkable career. He published the Cincinnati Telegram, an evening paper, but sold it out, went to New York, where he practiced law.

In 1887 Colonel Campbell left Cincinnati for New York, following a bloody riot there during which a demonstration was made against his life. Colonel Campbell had for some time previous to this been engaged in criminal practice in the Ohio courts. Simultaneously there was wide discontent in Cincinnati over what was believed to be the failure of Justice, Honolides were frequent and convictions were rare. The discontent in Cincinnati culminated with the trial of a prisoner accused of murdering his employer in a livery stable. The general feeling was that the crime called for severe punishment, but the accused was represented by Colonel Campbell, and escaped with an extremely light sentence. That night a mob formed in Cincinnati, which in a few hours the authorities were entirely unable to control. The court house was visited by the mob, and during the riot which followed was burned to the ground. A number of people were killed. Colonel Campbell showed considerable bravery during the exciting times.

His last work in Kentucky was in connection with the Goebel murder cases.

MILITIA

ARRESTS HIGH OFFICIALS OF MINERS' UNION AND TRANSPORT BEYOND COUNTY.

TELLURIDE, Col., Jan. 1.—(Associated Press.) Twenty-six men were arrested here by militia authorities, including former Attorney General Eugene Buckley, counsel for the Telluride Miners' Union; Guy E. Miller, president of the union, and J. C. Williams, vice president of the Western Federation of Miners, who were placed on the train today and taken beyond the boundaries of San Miguel county under military guard. They will not be allowed to return to this district while martial law is in effect.

Supervisors in Session

The County Board of Tax Supervisors, composed of Michael Bowerman, chairman; George Ott, H. F. Hillenmeyer, J. W. King, J. H. Applegate and L. P. Young, convened in the office of the Assessor at the court house. The board will be in session a month, and will review assessments, making such changes as they may see fit, and hearing the complaints of taxpayers.

SMALLPOX BECOMES SERIOUS.

MADISONVILLE, Ky., Jan. 4.—The smallpox situation in Webster county seems to be growing considerably worse. There are now five cases reported from the little town of Wheelcraft and two from Dixon. It is said that no great alarm is being felt among the people at these two places, as all who have been attacked by the disease are now in the pesthouses, and all who have been exposed to it

are being closely watched and guarded. Vaccination has been ordered, and every step will be taken to stamp it out as it now stands. It was reported that the town of Wheelcraft would be quarantined, but it is now thought that the disease is well enough in hand that this is not necessary, unless something not expected happens.

SORROWS AND TROUBLES FOLLOW FAST.

EMINENCE, Ky., Jan. 4.—Sorrow and trouble tread on each other's heels in the family of the late W. A. Holland. Following his sudden death in Louisville last Thursday night came news of the death of his brother-in-law, John C. Vance, formerly of this county, at his home near Salem, Mo., and yesterday morning the late Mr. Holland's residence caught fire from a defective flue and burned to the ground. It was insured for about 50 per cent of its value.

Two million Americans suffer the torturing pangs of dyspepsia. No need to. Burdock Blood Bitters cures. At any drug store.

Impossible to foresee an accident, impossible to be prepared for it. Dr. Thomas' Electric Oil. Monarch over pain.

"Little Colds" neglected—thousands of lives sacrificed every year. Dr. Wood's Norway Pine Syrup cures little colds—cures his colds too, down to the verge of consumption.

Terrible plagues, those itching, peeling diseases of the skin. Put an end to misery. Doan's Ointment cures. At any drug store.

BAD BREATH

Don't disgust your friends any longer. Your foul breath either comes from undigested and fermenting food in the stomach or from a feverish condition, the result of Constipation.

Dr. Caldwell's

Syrup Pepsin

sweetens sour stomachs, cures indigestion and Constipation.

PEPSIN SYRUP CO., Monticello, Ill.

For sale and guaranteed by McADAMS & MORFORD.

Biliousness

"I have used your valuable Cascarets and find them perfect. Could I do without them, I have used them for some time for indigestion and biliousness and am now completely cured. Recommend them to everyone. Once tried, you will never be without them in the family."

Edward A. Marx, Albany, N. Y.

Best for The Bowels

Cascarets

CANDY CATHARTIC

THEY WORK WHILE YOU SLEEP

Pleasant, Palatable, Potent, Taste Good, Do Good, Never Sickens, Weakens or Irritates. 25c. Dozen. Sold in bulk. The genuine tablet stamped U. C. C. Guaranteed to cure or your money back.

Sterling Remedy Co., Chicago or N. Y. 602

ANNUAL SALE, TEN MILLION BOXES

FOR THE BOOKIES AT NEW OR
LEANS—JOCKEY DEAD.

LOS ANGELES.

First race: selling; six furlongs—
Winnifreda 90, Nettatka 93, Susi
Christian 95, Geisha Girl 102, Hindo
Arboreana 104, Matamoros 109, Arab

Double O 110, Frierleine 113.
Third race: selling; seven furlongs.

A large number of applications for reinstatement of jockeys and horses were granted, none of them, however.

OF TYPE OF OLNEY, HILL,
TOWNE AND DE ARMOND AT-

NEW PRESIDENT OF
CHICAGO BOARD OF TRADE

Q

any pronounced buying or selling started. A strong tone prevailed at the close, although all the early loss was not recovered. May was 3% lower at 86 3/4c. Clearances of wheat and flour were equal to \$54,100 hus-

NEW YORK STOCK MARKET.

NEW YORK, Jan. 1.—(Associate Press.)—Today's stock market was

1

Reported by W. K. Massie and V.
L. McCann, Real Estate and Bond
Officers, Security Trust and Safe
Vault Company. New Phone 251.
Bid. Aske
Fayette Nat'l Bank

Trade today. Mr. Jackson has been a prominent member of the board for

Try HENRY CLAY PURE RYE
Bottled only at the Distillery Lexington,
Ky., in its ORIGINAL PURITY.

reported receipts of 731 cars again 1,338 cars last week and 869 cars

10c to 10c in prices of hogs was the main bull factor. The close was steady with May pork no 7½c at \$13.67. May lard was unchanged at \$7.17 while ribs were 10c lower at \$6.80.

portion of these gains were lost in the second hour. The drop of prices was not checked by the markedly cash

Penna.	117 $\frac{3}{4}$	118	117 $\frac{3}{4}$	117
People's Gas . . .	97 $\frac{7}{8}$	97 $\frac{5}{8}$	96	96
Reading	44 $\frac{3}{4}$	44 $\frac{3}{4}$	43 $\frac{5}{8}$	44
R. Island . . .	23 $\frac{7}{8}$	23 $\frac{7}{8}$	22 $\frac{1}{4}$	23
Do pref. . . .	60 $\frac{1}{2}$	60 $\frac{1}{2}$	59 $\frac{1}{8}$	59

City National Bank		
Stock	192 50	195 00
National Ex. Bank		

bank stocks increases at the price they now sell. The demand for government bonds has also increased. I can likely fill orders at prices quoted above.

SCHOOL

BOARD IS REORGANIZED

R. P. SHRYOCK ELECTED PRESIDENT AND DR. J. E. HAWKINS ELECTED TO SUCCEED J. I. BRIGHT.

Richard P. Shryock was elected President and John W. Bain Vice-President of the Board of Education at the organization of the board yesterday morning at 10:20 o'clock.

The old board met at 10:15 o'clock, and after the reading of the minutes and the acceptance of the resignation of J. I. Bright, who resigned to become a member of the Board of Aldermen, the board adjourned. President C. J. Meyers, John W. Woolley and Fred Lazarus retired from the board. The hold-over members are E. S. Kitzler, J. E. Norman and Roger Harp. Mr. Kitzler was absent from the meeting. The new board convened at 10:30 o'clock and Clerk J. O. H. Sim-

a vacancy in the board which was filled by the election of Dr. James E. Hawkins, from the Second ward.

Richard P. Shryock, the new President of the Board of Education, has been a member of the board for six years and has always held a place on important committees. He has demonstrated his ability to serve in this responsible executive capacity by the faithfulness of his service on other occasions, and has always been one of the foremost in advocating any measure for the advancement of the schools and the betterment of the school system.

He gave a short speech of thanks to his fellow members of the board, in which he promised to do his full duty and asked their co-operation.

ILLNESS

OF JAMES DROUGHT CALLS MR. ZITT TO HIS BEDSIDE IN CHICAGO.

Mr. J. H. Zitt leaves today for Chicago, called by the serious illness of his kinsman, Mr. James Drought, who was connected with the Lexington Brewing Company for some time. Since leaving Lexington last summer, Mr. Drought has been in business in Chicago. He recently suffered an acute attack of grip, and last week had a relapse, which has developed such serious proportions that a dangerous operation is now necessary.

Mr. Drought is a brother of the well known actor, Robert Drought, leading man to Clara Woodruff in "The Girl with the Green Eyes," which is now playing on the Pacific coast. His many Lexington friends are very apprehensive over his condition, and are hoping for a speedy change for the better.

OLDEST

MEMBER OF THE SENATE, MAJOR BURNAM, SERVED HALF A CENTURY AGO.

Major Curtis Burnam, State Senator from Richmond, passed through Lexington yesterday and was at the Phoenix between trains. Major Burnam is perhaps the oldest member of the Kentucky Legislature, he having served his first term more than fifty years ago. For two terms he has been nominated and elected without opposition, and his nomination for the present term was over his protest, he wishing to retire to private life on account of advanced age and ill health. Major Burnam graduated from Yale in 1850, when the journey, made partly on horseback, partly by stage coach and railroad, required eleven days. The distance is now covered in thirty hours.

The Senator has no measure to introduce, and is in favor of an appropriation for the erection of a new capital building. He says that the removal of the capital from Frankfort would require a constitutional amendment, and that if it is ever moved at all it will go to Louisville.

CASTORIA.

Bears the Signature of *Charles H. Fletcher*

MR. LOWENTHAL GOING ABROAD.

Max Lowenthal, the well known furrier, will leave the middle of February for a trip abroad. He goes to Germany for a visit to relatives, and expects also to buy a large portion of his stock of furs abroad. He will return the latter part of May.

R. E. HOLZ

WILL CONDUCT SERVICES FOR SALVATION ARMY SUNDAY. RECRUITS TO BECOME SOLDIERS.

Services of a special character will be conducted Sunday by the Salvation Army. Col. Richard E. Holz, of Cleveland, who will arrive Saturday night, will conduct the services and will speak at the First Baptist Church at 11 o'clock a. m. on "The Uplifting Power of the Gospel." Services will be held in the Salvation Army Hall, 49 (old number) West Short street, at 3 o'clock Sunday afternoon, when several converts who have been on probation as recruits will be taken in and publicly enrolled as soldiers.

Colonel Holz will give an address at 7:30 o'clock at Central Christian Church, and at the same time Staff Captain William Escott will lead a meeting in the Salvation Army Hall. Colonel Holz has charge of the Salvation Army in Virginia, Ohio, West Pennsylvania, Kentucky and all States east of the Mississippi river, and of all the German work in America. He is a pleasant speaker, and any one who wishes to hear his sermons will be welcome at any of the meetings.

LITTLE RICHARDSON BOY DIED.

Charles Frederick Richardson, four years of age, died yesterday of convulsions at the home of his father, Charles Richardson, No. 333 (131) Kentucky avenue. The funeral arrangements will be announced later.

SUDDEN

WAS COL. GIBSON'S DEATH

SOLDIER, SCHOLAR AND GENTLEMAN, HIS DEATH WILL BE KEENLY FELT—WAS ON VISIT TO HIS DAUGHTER.

MINNEAPOLIS, Minn., Jan. 4.—(Special.)—Colonel Hart Gibson was stricken with a fatal attack of heart disease shortly before midnight Sunday night. He had been up and was apparently feeling well up to the minute before death came. He had asked for an egg, which was prepared for him and which he ate with evident relish. He then asked to be assisted to an arm chair, and as he was about to seat himself he was stricken with an attack of the heart, which has been troubling him for some time. He died almost instantly. Mrs. Gibson left with the remains this morning.

News of the death of Colonel Hart Gibson at the home of his daughter, Mrs. Harrison Foster, in St. Paul, was received in the above telegram. He was taken ill some months ago with an acute attack of Bright's disease, but his splendid constitution seemed to withstand or overcome that attack and he recovered sufficiently to go to visit his daughter in the hope the change would aid in restoring him to health.

Colonel Gibson was the son of Tobias Gibson, of Terrebonne Parish, La., and Louisiana B. Hart, the daughter of Nathaniel Hart, of Woodford county, and Susanna Preston. He was related to many of the most distinguished families of Kentucky, Louisiana and Virginia, and married Miss Mary Duncan, the daughter of the Hon. Henry T. Duncan and Elizabeth Pyke, who with children survive him. His children who survive him are Duncan Gibson, Mrs. Louisiana Maxwell, Mrs. Harrison Foster, Hart Gibson, Jr., and Mrs. Hilda Gibson. He was born May 22, 1835, and would have been 69 years old next May. He had every advantage of both wealth and social position with opportunities for the broadest education and widest culture of which he took full advantage. He was graduated from Yale in 1855 with high honors and then studied law at the Harvard Law School, where his ability was also recognized with merited honors. He was rarely gifted both in person and intellect. Tall, graceful, with indefinable and yet evident quality called "presence," with courtesy and wide culture, he was a marked man in any assemblage.

Had it been necessary for him to exert his talents for a livelihood there is no distinction to which he might not have aspired. In every field he showed he was capable of mastery—that he was equal to every occasion. He served during the war with distinction on the staff of General Edward Buford and afterward with General John Morgan, with whom he was captured and spent nearly a year in prison. He after his exchange served with General Jubal Early with conspicuous gallantry. After the war he returned to Kentucky and served both Woodford and Fayette county in the Legislature, serving them as a matter of duty and not through a desire for political preferment, for which he seemed to care nothing. He was loyal to every friendship, to every cause to which he gave his allegiance and his time, his money and his advice was at the service of any friend who needed them. He loved his home, his books, his friends. There were few men in Kentucky who kept up their love of books as did he. He was master of several languages—living and dead—and to the day of his death took pleasure in reading his favorite authors in their original tongue. More because of his love for the science than through any desire for gain he devoted a large part of his time and means to the breeding of blooded horses, both thoroughbred and trotting.

Colonel Gibson is survived by one brother, Captain Tobias Gibson, of

Lexington, and Mrs. Sarah Hart Humphreys of Louisiana. The announcement of the funeral will be made later.

MR. CUNNINGHAM TO REMAIN IN KENTUCKY.

C. E. Cunningham, who resigned his position with the Deering branch of International Harvesting Company to accept the general management of Ohio for the D. M. Osborne Company, has been transferred to the general management of Kentucky with headquarters at Lexington.

Mr. Cunningham had been connected with the Deering Company for a great many years, and resigned about two months ago to go with the Osborne Company. He had his headquarters in Cincinnati, and his family was going there in the evening. Arrangements were made, however, making it possible for him to accept the position of general manager for Kentucky with headquarters here. Mr. Cunningham is a man of great business ability and during his stay in Lexington has gained many friends who will be glad to know that he will not leave.

SCHOOL

AND COLLEGES OPENED YESTERDAY—TWO COLLEGES TO OPEN TODAY.

Every train yesterday was loaded down with students returning after the holidays. A great many came Sunday to be ready for the Monday classes, but the majority stretched their vacation out to the last minute. The public schools opened up with all the old pupils and about 100 new ones. It will take two or three days for the post-holiday apathy to wear off, then when the students fall back into the old rut of routine everything will take on its accustomed regularity.

The attendance in all the colleges shows a marked increase over the first term, and all are crowded. State College shows an increase of 20 per cent over the first term, and Kentucky University a 25 per cent gain. Saint Catherine's Academy and Sayre Institute show a large increase. Campbell-Hagerman and Hamilton Colleges will open today, and yesterday most of the students returned from their holiday vacation and the rest will come in today. Both of these colleges are crowded to their utmost capacity, and applications have been refused on account of lack of accommodation. The Duff Chapel will be opened today, which will give more room in Argyle Hall. The parlors in Argyle Hall will be used for receptions and for the receiving of company by the young ladies.

Examinations for the second term in the public schools will begin the latter part of the month and the second term will begin February 1, as will the second term of St. Catherine's Academy. Campbell-Hagerman College will be in its second term February 20 and Hamilton College February 18. It is safe to say that the students in all the colleges and schools are looking forward with eager anticipation to the commencement now that Christmas holidays have passed.

Miss Williams' school opened yesterday.

A GUARANTEED CURE FOR PILES. Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money if PAZO OINTMENT fails to cure you, in 6 to 14 days. 50c.

FUNERAL OF MR. GARTH.

The funeral services of Mr. S. J. Garth will take place at the Hill Street Methodist Church this morning at 11:15 o'clock. Mr. Garth died at his residence in Kirkwood, Mo., Saturday afternoon, where the funeral service was to have been held yesterday afternoon, but Mrs. Parker Bryant, Mrs. Garth's sister, received a telegram last night telling her of an accident to the minister and the services were transferred to Lexington. The remains will arrive via the Louisville Southern train this morning at 10:45.

The active pall bearers are Messrs. R. H. King, Prof. D. W. May, J. Hub Prather, J. H. Elbert, James Denny and E. B. Drake. The honorary pall bearers are Messrs. John T. Miller, John Allen, John Pew and Claude Garth. Rev. J. S. Sims, assisted by Rev. U. G. Foote, will officiate. The burial will be in the Lexington cemetery.

Mr. Garth was for many years a resident of Fayette county, having owned the farm known as the Eugene Leigh farm, on the Old Frankfort pike. Mr. Garth was in his eighty-second year.

Kentucky Volcano

Discovered

MOREHEAD, Ky., Jan. 4.—(Special.)—A miniature volcano has been discovered on Sugar Loaf Hill, at Brushy Fork, this county. For several weeks it has been emitting smoke and flame and melted rock. It finally became so active as to alarm the people in that vicinity, and in response to their appeal a large crowd of citizens went from here yesterday to investigate it.

CAPITOL

OF IOWA DAMAGED BY FIRE

LOSS WILL REACH A HALF MILLION DOLLARS—EMBARRASSING SESSION OF LEGISLATURE.

DES MOINES, Ia., Jan. 4.—(Associated Press.)—Fire gutted the north-west wing of the State Capitol today with an approximate loss of half a million dollars. The chamber of the House of Representatives is a charred mass of debris and cannot be repaired in time for the approaching session of the Legislature. The executive council of the State, consisting of Governor Cummins, Secretary of State Martin, State Auditor Carroll and State Treasurer Gilbertson, held a conference this evening and announced the convening of the Legislature would not be postponed. It will meet one week from today, and arrangements will be made so that the sessions can be comfortably held. The plan is to have the House sessions in the Senate chamber, the Senate sessions in the room of the Supreme Court, and the Supreme Court will either adjourn or hold its sessions in one of the committee rooms.

The origin of the fire is a mystery and Governor Cummins will order an investigation.

The valuable volumes of the State library located near the fire were hastily removed and the State offices were hastily emptied. The funds of the State Treasurer were hastily loaded on a wagon and carried to a down town bank for deposit. Governor Cummins, clad in rubber boots and a rough coat, engaged in the work of fighting the fire.

The Iowa Capitol is one of the most beautiful in the United States. It was erected at a cost of \$3,000,000. The building was supposed to have been fire proof, but the use of several false ceilings in the House furnished excellent material for the flames.

LOCAL MEN TO SPEAK.

President Burris A. Jenkins of Kentucky University and Enoch Graham will speak at the tenth annual banquet to be given January 21 by the Rev. E. L. Powell, of Louisville.

Meet me at Mills' Edison's, Fountain Square.

CITY BRIEFS

Howard Jolly, an assistant passenger agent for the Chicago Route, with headquarters in Louisville, was in this city yesterday.

Frank Carr, the general agent of the L. & N., was in Richmond, his old home, yesterday on a pleasure trip.

The Knights of the Maccabees, who were to have an installation of officers last night, have postponed the installation till Monday night. A meeting was held last night, but nothing else than routine business was transacted.

Cured to Stay Cured.

Mrs. S. C. Roberts, Clinton, La., sent a postal card request for a trial bottle of Drake's Palmetto Wine to Drake Perna Company, Drake Block, Chicago, Ill., and received it by mail. By several mail without expense to her. Mrs. Roberts writes that the trial bottle of this wonderful Palmetto Wine cured her of a long and painful illness. She says: "I had a long and painful illness, suffering from inflammation of the bladder and serious condition of urinary organs. Drake's Palmetto Wine gave me quick and entire relief and I have had no trouble since using the one trial bottle. Drake's Palmetto Wine cures every such case to stay cured. It is a true, unalloyed specific for Liver, Kidney, Bladder and Prostatic troubles caused by inflammation, congestion or catarrh. When these troubles exist, Drake's Palmetto Wine produces a gentle and natural action of the bowels and cures constipation immediately, to stay cured. One small dose a day cures this system, and any reader of this paper may prove it by writing to Drake Perna Company, Drake Building, Chicago, Ill., for a trial bottle of Drake's Palmetto Wine. It is free and cures. A letter or postal card is a thoroughly reliable means of securing it."

For sale by McAdams & Morford, Lexington, Ky.

FALLING HAIR STOPPED.

Baldness Cured by Destroying the Parasitic Germ That Causes It. Baldness follows falling hair, falling hair follows dandruff, and dandruff is the result of a germ digesting its way into the scalp to the root of the hair where it saps the vitality of the hair. To destroy that germ is to prevent as well as cure dandruff, falling hair, and, lastly, baldness. There is only one preparation known to do that, Newbro's Herpicide. Wherever it has been tried it has proven wonderfully successful. It can't be other wise, because it utterly destroys the dandruff germ. "You destroy the cause, you remove the effect." Sold by leading druggists. Send 10c in stamps for sample to The Herpicide Co., Detroit, Mich. McAdams & Morford special agents.

PUBLIC SALE

FRIDAY, JANUARY, 8 AT 10 O'CLOCK A. M. On above date I will offer for sale at my residence, 3 1/2 miles from Lexington on Todd's Road (just off the Richmond pike), a few farming implements and several head of live stock, including fresh cows, males, hogs, etc. SAMUEL CLAY, Jr., Agent.

CHAPLAIN

OF HOUSE ASKS FOR PEACE

PRAYED THAT WAR BETWEEN RUSSIA AND JAPAN MAY BE AVERTED—BRISTOW'S CHARGES TO BE INVESTIGATED.

WASHINGTON, D. C., Jan. 4.—(Associated Press.)—With the reassembling of Congress today the chaplain of the House in opening the session of that body, prayed that war between Russia and Japan might be averted by a peaceful adjustment of their differences. A privileged resolution offered by Mr. Hay (Dem.) recited that certain statements contained in the Bristow postoffice report reflected on the membership of the House.

It provided for an investigation by a committee to be appointed by the Speaker. A point of order was made against the resolution by Mr. Gardner (Rep.), of New York, who desired to refer the resolution to the Postoffice Committee. A vote on ordering the previous question resulted in a tie, the minority supporting Mr. Hay. The vote developed no quorum and the House adjourned.

The origin of the fire is a mystery and Governor Cummins will order an investigation.

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For sale by McAdams & Morford, Lexington, Ky.

FALLING HAIR STOPPED.

Baldness Cured by Destroying the Parasitic Germ That Causes It. Baldness follows falling hair, falling hair follows dandruff, and dandruff is the result of a germ digesting its way into the scalp to the root of the hair where it saps the vitality of the hair. To destroy that germ is to prevent as well as cure dandruff, falling hair, and, lastly, baldness. There is only one preparation known to do that, Newbro's Herpicide. Wherever it has been tried it has proven wonderfully successful. It can't be other wise, because it utterly destroys the dandruff germ. "You destroy the cause, you remove the effect." Sold by leading druggists. Send 10c in stamps for sample to The Herpicide Co., Detroit, Mich. McAdams & Morford special agents.

PUBLIC SALE

FRIDAY, JANUARY, 8 AT 10 O'CLOCK A. M. On above date I will offer for sale at my residence, 3 1/2 miles from Lexington on Todd's Road (just off the Richmond pike), a few farming implements and several head of live stock, including fresh cows, males, hogs, etc. SAMUEL CLAY, Jr., Agent.

THE PERPETUAL WAR

There is always a fight going on in every human body between health and disease. On one side are poor food, bad air, over-work, worry, colds, accidents. On the other are sunshine, rest, cheerfulness and nourishment.

The reason Scott's Emulsion fights so powerfully for health is because it gives so much more nourishment than you can get in any other way. Get in the sunlight and try Scott's Emulsion.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Pearl Street, New York.

Horse Fell in Ditch

The agent of the Humane Society had an unusual case to deal with yesterday. A blind horse had fallen into an excavation twelve feet deep, made for the new tobacco warehouse on South Broadway, and was badly injured by the fall. After various schemes for getting the animal out had failed, it was found necessary to chloroform him. It was never learned who the owner of the horse is.

OWENS PINK MIXTURE

FOR CHILDREN

Makes teething easy, relieves the bowels and stomach, cures summer complaint, cures colic, cures indigestion, cures all the troubles of children.

None genuine without this signature of every package: *Frank W. Owens*

For sample and book free, address THE FLOYD MEDICINE CO., DETROIT, MICH.

FLOYD'S DYSPEPSIA TABLETS

Sold and guaranteed by **McADAMS & MORFORD.**

Always Remember "The Full Name" **Laxative Bromo Quinine** on every box. 25c

E. H. Johnson

Cures a Cold in One Day, Cough in 3 Days

Grocers almost universally report the Sale of Egg-O-See larger than that of all other Flaked Wheat Foods combined. There is a reason for this: The consumer finds that it is the same weight package that ordinarily retails for 15 cents, and that the quality is much superior, and that it

EGG-O-SEE

RETAILS for 10 cts.

The largest food mill in the world, with all labor-saving devices enables us to produce a superior product of full weight at this lower price.

ASK YOUR GROCER FOR THE GREEN PACKAGE.

If your grocer does not keep it, send us his name and 10 cents and we will send you a package, prepaid.

New Train Service

--VIA--

Southern Railway

In Effect January 4, 1904

Leave Lexington 6:10 A. M. Daily

Arrive at Louisville 8:50 A. M.

G. B. ALLEN, Asst. G. P. A.

PUBLIC MEETINGS

Can Not Be Held in Chicago Outside of Churches.

INSPECTION TO BE MADE

Every Public Building in Chicago to Be Rigidly Examined—They Will Lose Thousands of Dollars By Remaining Closed—Restaurant Keeper Who Assisted Fire Victims, Loses Trade.

CHICAGO, Ill., Jan. 4.—(Associated Press.)—After tonight it will for some weeks at least be practically impossible to hold a public meeting of any kind in Chicago outside of churches, including Commissioner Williams, to night issued an order closing all public houses, dance halls, and all similar places of public assemblage until an inspection has shown that they are complying with all provisions of the building ordinance.

As there are upwards of 400 halls in Chicago, ranging in sizes from those that will accommodate fifty persons up to those that will accommodate 500, this order will effect probably as many persons as the theater closing order. Protests were numerous, but the Building Commissioner was inflexible.

Mayor Harrison and seven Aldermen appointed by members of the City Council committee to control legislation in relation to theaters met this afternoon with theater managers, every playhouse in Chicago excepting the Great Northern, being represented.

The managers asked if they could not open their houses and sell seats upon the lower floors only, but the Mayor and Aldermen decided positively against it. It was declared that all places must remain closed until the ordinance requirements had been fully met. The managers on departing from the Mayor's office reiterated their purpose of obeying the directions of the Mayor and the City Council, but urged haste in drawing up new ordinances, as the closing of the house necessitates the loss of much money by them.

This afternoon attorneys for the fire department secured from five witnesses corroboration of them of the charges that a wrecking crew of the George A. Fuller Company employees destroyed the stage skylights the day after the disaster.

Fire Inspector Fulkerson said today: "It was the intention that these skylights should open automatically to allow the escape of heat and smoke and to create a draft which would draw them upwards instead of allowing them to pass out over the audience. But from information I have I am positive that the opening of the skylights, was impossible, because beneath each section of the lights had been placed a scantling which remained there until removed by employees of the Fuller Construction Company Thursday afternoon. Little result followed the examination of seven men to the double octet which was on the stage when the fire broke out.

The police today arrested George M.

KNOWS NOW

DOCTOR WAS FOOLED BY HIS OWN CASE FOR A TIME.

It's easy to understand how ordinary people get fooled by coffee when doctors themselves sometimes forget the facts. A physician speaks of his own experience:

"I had used coffee for years and really did not exactly believe it was injuring me, although I had palpitation of the heart every day.

"Finally one day a severe and almost fatal attack of heart trouble frightened me and I gave up both tea and coffee, using Postum instead, and since that time I have had absolutely no heart palpitation except on one or two occasions when I tried a small quantity of coffee, which caused a severe irritation and proved to me I must let it alone.

"When we began using Postum it seemed weak—that was because we did not make it according to directions—but now we put a little bit of butter in the pot when boiling and allow the Postum to boil full 15 minutes, which gives it the proper rich flavor and the deep brown color.

"I have advised a great many of my friends and patients to leave off coffee and drink Postum; in fact I daily give this advice." Name given by Postum Co., Battle Creek, Mich.

Many thousands of physicians use Postum in place of tea and coffee in their own homes and prescribe it to patients. "There's a reason."

A remarkable little book, "The Road to Wellville," can be found in each package.

Dusenberry, chief usher of the theater, on the charge of manslaughter. Dusenberry declares that he tried to hold back the rush of spectators and later helped to save thirty women from the jammed front exits. He is held to furnish evidence on the statements made by many people in the theater that the ushers closed the doors and that they at first refused to allow people to pass out.

Coroner Tracer is looking for the chief scrub woman of the theater who, it is said, carried with her all the keys to the doors and keys of the two balconies.

In addition to the managers of the theater, Will J. Davis and Harry J. Powers, every one of the employees of the theater have been summoned to appear before the inquest Thursday morning and many members of the Blueboard Company who were not permitted to depart for New York yesterday, will also be called upon to testify.

John R. Thompson, proprietor of the restaurant which adjoins the Iroquois Theater, has lost the greater portion of his business since the fire. On the day of the disaster Mr. Thompson threw open his restaurant for bodies of the dead and wounded.

He summoned nurses and doctors, procured medical supplies and did everything possible for a man to do to alleviate the horror of the catastrophe. His valuable and disinterested services were widely advertised in the papers with the result of practically driving all his patrons away. He caused all the tables to be removed and destroyed, and has taken away all portable furnishings that could remind customers of the fire, but the fact remains that people stay away from his restaurant and he is paying a heavy price for the service he rendered to the public last Wednesday afternoon.

Unidentified Valuables. Probable \$25,000 worth of articles lost in the fire are still unidentified. Opera hats, sealskin coats, opera glasses to the number of 150, hundreds of pairs of rubbers and shoes, fancy umbrellas, in fact all the finery of a woman's attire, are waiting to be claimed. Money to help bury the unidentified dead and relieve any who may be suffering from the fire has commenced to come in.

The closing down of Chicago theaters caused a paralysis of business in many directions. Three thousand actors, stage hands and people who depend directly on the theaters for a living are idle, with no hope of employment for a fortnight. Restaurants that cater to theatrical audiences have laid off many employees. Hotels are complaining, and traffic on the street railways has fallen off at night.

It is estimated that 15,000 persons will suffer from the Mayor's closing order, of whom 1,200 are actors, 3,500 ushers, 500 electricians and stage hands, 400 cab drivers, 200 waiters, twenty-five printers and one hundred bill posters. The loss in receipts at the thirty-five theaters will total \$18,000 per day.

Children take Piso's Cure readily. It is a sovereign remedy for colds.

NEW EXIT

(Continued from First Page.)

back of the stage, and three hose are connected with fire plugs, ready for instant action. Two of these are on the stage, one on either side, and can reach all parts of the theater. The stage is fully equipped with hooks, ladders, axes and knives for cutting ropes.

"The lights are on three different circuits, so that for the opera house to be in darkness three different engines at the power house have to break down. The circuits all come in to the opera house at different points, and any mishap to one would not affect the others. There is no gas used in the opera house at all, and nothing explosive is on the premises. The furnace is ten feet under ground, cemented and grouted, and there is no danger from it. If such could be, the stage would be the only part affected, as it is under the stage.

"When the improvements are completed, in connection with the other precautions I have taken, there will be no theater in the United States safer than the Lexington Opera House."

JACK ELKIN DEAD.

Mr. and Mrs. Frank Merritt, of No. 431 Breckinridge street, left yesterday for Elkin, a station on the K. C. railroad, where they go to attend the funeral of Mr. Jack Elkin, who died Sunday. Mr. Merritt is a brother-in-law of the deceased, who was unmarried and about fifty years old.

BUILDERS LOCKED OUT.

PATERSON, N. J., Jan. 4.—(Associated Press.)—The Association of Master Builders locked out men today and the whole building trade was at a stand still. Fifteen hundred men are affected.

NEW MAYOR

(Continued From First Page.)

and the city is turned over to the new stewards in good and healthy condition.

"It is no light responsibility that you shoulder. This city is second in importance in the State; its people are the best. We can make it take the lead in all respects. I believe in the strict observance of law, but also the exercise of liberal judgment, and liberality when a good end is to be served. Our progress depends upon you all, and I believe that the administration will be all that we so earnestly hope that it will be. Let us all as citizens support it regardless of party affiliations. Let there be no spite work and nagging criticism. Let us pull together for common good. I want this administration to be pure and progressive so that it may reflect credit not only upon officials as individuals but upon the Democratic party which has given to you these trusts."

A Lunch Served.

The door to the armory was opened and Chairman Hobbs invited the crowd in to enjoy a lunch and other refreshments provided by the Committee on Arrangements.

After justice had been done to the refreshments Mr. Hobbs introduced Judge Watts Parker, paying to him—as he did to the speakers who followed—a characteristically graceful compliment. After referring to the importance of the ceremonies just witnessed and the history to which the occasion was a period, he spoke of the responsibility which Mayor Combs and the official corps had assumed. He paid a pretty tribute to Lexington and emphasized that its welfare was in the hands of the men who had just taken the oath of office.

"Something was said in the other chamber about forgetting party in support of this administration. I do not wholly concur in this sentiment. I hope that the bitterness of contest may be forgotten, but I would prefer to have it remembered that Mayor Combs and you other officials have been placed here by the Democratic party; that it stands sponsor for your actions. Mr. Combs is Mayor of all of the people, but he is also the Democratic Mayor of all the people. We can bury our differences and yet remember this. I shall hope that this administration may win the applause of the city by adhering to the principles of Democracy since the days of Jefferson which make the officer best who administers his office most fairly, honestly and impartially. This city is peerless and deserves the best government. Our sanitary conditions, our taxes, our financial condition and credit are matters of such magnitude that we can not over-state the seriousness of the responsibility which must rest upon officials.

LEXINGTON'S RELIABLE STORE.



MILLER BROS.
CLOTHES, FURNISHINGS,
Broadway & Main, Lexington SHOES, HATS

"I believe that the man to whom we have confided this trust is worthy of it and four years hence I feel that we may be able to say 'we boasted when you took it up; we boast when you lay it down.'"

Mr. Kimball Speaks.

The introduction of Mr. Kimball was preceded by loud calls for him, and as he mounted the chair which served to elevate the speakers there was vociferous cheering. Mr. Hobbs had been lavish in praise of him in his introduction and, touching this Mr. Kimball said: "As I listened to the description of the virtues and attainments of the unnamed person who was to be the next speaker I wondered who it could be. I had no friend or acquaintance whom they fit and I expected to see a stranger. However, we all know that on an occasion of this kind there is much said that must not be believed and in speeches of introduction nothing must be taken seriously.

"I feel well tonight. I helped elect Mayor Duncan; I supported Mayor Combs. I am saying good-bye to one friend only to grasp the hand of another. And, individually, I feel good because I will not be any more a burden to the new than to the retiring Mayor. I am one of those who has nothing in the way of a request which will embarrass him. He has just reached that point in life where, with a man of old, he will cry out, 'Deliver me from my friends.' I protest against what I know is coming. Every voter who supported him who has a favor to ask will beseege him and feel aggrieved if he does not get all that he asks. Why don't you give the man a chance? Let him alone and permit him to give us a good administration without your annoyance. I know that our expectations will be realized in his administration. Lexington is the hub of the Blue Grass and the Blue Grass is the hub of the world. The day is coming when all roads will lead to Lexington. We must build a city in keeping with what is to be its future. The city stands for progress. The people must feel that they are getting something in return for taxes. They will not be disappointed if they can see improvement. We want clean streets and good public utilities. I hope that this administration will not chase bubbles like the Capital removal or the leveling of Mt. Ararat." In closing he expressed wishes for the success and prosperity of the official family and that "the sun may continue to shine bright, and brightest on the City Hall."

Mr. W. R. Clay, who was to be the next speaker, had been obliged to leave the building and there were loud calls for Dean Lee. The "Parson" has never failed to delight an audience, and he so adapted himself to the occasion last night as to dispense cheer and yet teach lessons which are far reaching.

His ready wit kept the assemblage in constant laughter. Referring to the character of some of the refreshments, he said that some might say that this

was not a place for a preacher and others that a preacher was needed. As to his view, he believed that a minister should not stay at home if he could be of benefit to fellowman by mingling with him outside church portals. Preachers, he said, were not spared by knockers, and, on the other hand, the clergy itself was not without its quota of knockers. He said he was asked by the honorable retiring Mayor as they entered this hall whether he could be invited to share a bottle of Lexington-made beer. He replied that if he wanted a glass of beer he would feel as free as any citizen to drink it, but if he did it would for good reasons be at his own home.

This is personal liberty. He said he was not there to reproach or to commend; the program of this occasion had been arranged by a committee. He did not feel that any preacher is out of place when among his fellowmen out in the current of life. A good man who knew that he was an Elk once approached him on the subject of the Elks' fair. He said that unwholesome shows and gambling were permitted. The speaker said he asked him why he held aloof, and he said that he did not want to be contaminated. In answer he said that he was proud to possess something which was more powerful than vice and which rendered people proof against contamination. He wanted to attend the fair and observe all that was to be seen there. If any feature of it was unclean he wanted to do all within his power to have it cleansed. He expressed the wish that more felt this kind of an interest in public affairs, that they might be better soldiers in the fight for better conditions.

In congratulating Mr. Combs, he said that he hoped to be present when he laid down the armor which he had just put on, but he hoped that it would be in a building more creditable to Lexington. He said that justice was necessary and to be desired, but that mercy was more beautiful. He hoped that Mayor Combs' administration would be characterized by justice, but tempered with mercy.

The crowd then adjourned to the halls and congratulations were showered upon the new Mayor. In his office, friends gathered to extend their good wishes and the levee continued for half an hour or more. Those who sent him bouquets were Honaker the Florist, J. J. McGurk, Jacob B. Beck, secretary of the Louisville Lithographing Company and an old friend; J. F. Walton, of the Walton Iron Company, Cincinnati; Joseph Coyle, proprietor of the Stag Hotel, Cincinnati; J. J. O'Brien and others.

STORER'S FIRST RECEPTION.

VIENNA, Austria, Jan. 4.—(Associated Press.)—Ambassador and Mrs. Storer gave their first official reception tonight, the attendance including all the members of the diplomatic corps, high court and military officials. An escort of cavalry guarded the streets leading to the embassy during the reception.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of *Dr. J. C. Fletcher*

PRESIDENT

SENDS PANAMA MESSAGE

ISTHMIAN AFFAIRS OCCUPIED YESTERDAY'S SESSION OF THE SENATE—STIRRING APPEAL FOR GOD'S BLESSING.

WASHINGTON, Jan. 4.—(Associated Press.)—The Senate devoted its session entirely to Panama. President Roosevelt sent a message on the subject, which was received with great interest. The discussion continued throughout the day, speeches being made both in defense of and against the policy which has been pursued.

Mr. McComas defended the President and asserted that his action would stand if tried in court. He maintained that even without recognition the new Republic of Panama would have been established and maintained indefinitely.

Mr. Stewart, of Nevada, severely criticized the Bogota government for its selfish action in preventing the construction of the canal.

Mr. Morgan, of Alabama, stated his preference for the Nicaraguan route and maintained that the present course of the administration was breaking down the established policy of the United States regarding neutrality. He said the President now desired the assistance of three Democratic Senators to maintain his policy.

The Rev. Edward Everett Hale, the newly elected chaplain of the Senate, on the body being called to order, offered a stirring invocation. His prayer was a plea for the wisdom of God in the affairs of the Government. He referred briefly to the Chicago disaster and asked a blessing on the stricken city.

The report submitted by the joint Army and Navy Board relative to fortifications for the Philippines, was transmitted to the House today by Secretaries Root and Moody. It says: "The policy of Congress may be assumed to be to hold the Philippines in the American possession against any foreign enemy, but although the islands have been in our possession now more than five years, not a gun has been mounted nor an earthwork raised to protect any of our harbors.

Continuing, he report recites that the board "has the honor to submit to the Government its judgment that the national policy as expressed in Congress can not be maintained in war unless provision is made for defense." The board is unanimously of opinion: "That without a fortified naval base in the Philippines the Asiatic fleet can not keep open the lines of communication for supplies from the United States or between the army posts within the Philippines, without which supplies the military forces of the United States could not hold command of the islands."

The report urges that appropriations be made without delay for the fortification of both Subig and Manila Bay.

REVOLUTIONISTS MARCHING ON CAPITOL.

CAPE HAYTIE, Jan. 4.—(Associated Press.)—The population of the region south of Azua de Compostela has joined the army of the revolutionists, which is marching on the capitol, and several new defections from the ministry of Provisional President Morales are announced.

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Pawnbroker's Notice!

TO WHOM IT MAY CONCERN. All persons having goods pledged with us upon which the time has expired will please take notice that unless the interest is paid up, or the goods redeemed by January 15, 1904, they will be sold without further notice.

D. Adler & Son

C. E. NORMAN

Stocks and Bonds

TWO-STORY FRAME, 6 ROOMS, ALL OUT BUILDINGS, CISTERN. RENTS FOR \$20.00 PER MONTH. THIS ONE CAN BE BOUGHT AT RIGHT PRICE. CORNER LOT 100x150.

VACANT LOT ON WOODLAND AVENUE, SHADY SIDE, 50x300. CHOICE LOT FOR NICE HOME. IF IT'S A LOT YOU WANT, SEE IT.

FIVE-ROOM FRAME COTTAGE, ALL OUT BUILDINGS, CISTER, CELLAR, SHADY SIDE OF STREET, GOOD RENT, LARGE LOT. CAN BE HAD AT PRICE THAT WILL PAY 14.4 PER CENT ON INVESTMENT.

C. E. NORMAN

REAL ESTATE.

No. 154 W. Short St
Lexington, Ky.

ANTE-INVOICE SALE

In order to reduce stock before taking invoice we will offer at sacrifice prices FOR CASH

Open Stock Dinner Patterns
Odd Dozens of Plates, all Sizes
Odd Dozens of Cups and Saucers
Fish Sets
Game Sets
Salad Dishes
Chamber Sets

Jardinières
Lamps
Ornaments
Cut Glass
Solid Silver
Silver Plated Ware
Novelties, Etc.

All goods included in this sale marked in plain red figures. We mean business. Don't fail to visit this sale.

ANDERSON & DUDLEY

Successors to W. E. McCann & Co.



"Patience is a virtue" true;
Yet with proverb why be bored?
Pray, what good does patience do?
"Virtue is its own reward."

SOCIAL NEWS

CALENDAR.

The Union Circle of the Kings Daughters will meet this afternoon at 3 o'clock at the Woman's Club. All are asked to be present as there will be business of importance.

Mrs. George Draper Kelley will entertain this afternoon at cards at her home on North Broadway in honor of the Eucharist Club.

Mrs. W. W. Evans has issued invitations for a luncheon-euchre she will give Wednesday afternoon at her home on South Broadway.

The Whist Club will meet Thursday afternoon with Mrs. Howard Gratz at her home on Market street.

Mrs. Jere Tarlton will entertain the Georgetown Card Club, of which she is a member, Thursday afternoon at 2 o'clock at her home on the Georgetown road.

There's Nothing
"Just as Good"

—AS—

CUCUMBER

—AND—

WITCH HAZEL
CREAM

TAKENOSUBSTITUTE

MONEY REFUNDED IF IT
ISN'T THE BEST HAND
LOTION YOU EVER USED.

McAdams & Morford
MANUFACTURING CHEMISTS
Corner Main and Upper Streets.

The following invitations and home cards were issued yesterday to relatives and friends in distant cities:

Mr. William Morgan Swope requests the pleasure of

company at the marriage of his daughter, Martha Young,

to

Mr. William B. Loughbridge on the evening of Thursday, the fourteenth of January,

at six o'clock

at four hundred and seventy-two West Third street,

Lexington, Kentucky.

Will be at home after the twenty-eighth of January at four hundred and seventy-two West Third street, Lexington, Kentucky.

A Beautiful Dinner.

Mr. Armistead Swope gave a beautiful stag dinner last evening at his home on West Third street in honor of Mr. William Loughbridge, whose marriage to his sister, Miss Martha Swope, will be celebrated January 14. The home was unusually pretty in its red and green decorations. The hall, parlor and dining-room were decorated with palms, ferns and great bowls and vases of red flowers, and was bright with red shaded lights. The table was decorated with a basket of poinsettias resting on Battenburg lace as the centerpiece, the silver candelabra held red shaded candles, and in the cut glass and silver dishes were red mints and cakes. The name cards at each place were beautiful hand-painted ideal heads.

The delicious menu was served in eight courses by McTurk, the ice being red roses with green stems. The evening was a happy one with sparkling toasts, which were drunk to the health and happiness of this popular bridegroom and his lovely bride. Mr. Swope was toastmaster of the evening and was responded to by his guests in eloquent toasts. Mr. Loughbridge gave a pretty toast on "Love," Mr. John Stucky had as his subject their club, the "L. C. C.," Mr. Charles Strother, of Winchester, "The Defeated Lover." These were followed by several clever impromptu ones. The

dinner was a beautiful event of the winter and was enjoyed by all present.

The guests were: Mr. Loughbridge, Messrs. John and William Stucky, Charles Strother, Wellington Scott, Joseph Harting, Robert Brown, Lewis Cassell, Thomas Mourning, Clifford Clark, Davis Buckner, Dr. Logan Hocker, Natt Pettit, Walter Hunt, George Graves, Frank Lane, Charles Bronston.

Candy Pulling.

A pleasant social gathering among the young people yesterday was enjoyed at the candy pulling Miss Bertha Emery gave at her music studio on Upper street in honor of the members of her Sunday-school class at Christ Church Cathedral. Several of Miss Emery's music class and several friends were asked to meet the honored guests, and all spent the afternoon delightfully. The candy was pulled with much interest. Music was also a feature of this pleasant afternoon and all left with many happy remembrances lingering with them of the pleasure their teacher had given them.

Fashion Notes.

Breakfast jackets and negliges in general have never been more delightful than at present. The manipulation, the quantities of garniture, which come of us are so unfashionably minded as to object to in a walking frock, are altogether for the house. They give the truly feminine touch which such a garment requires.

Much of the charm of these little affairs this year is due to the great variety of material and garniture to be chosen from.

Everything from flannel to chiffon is employed for the body of the garment, although this latter material is seen in only the more expensive French models and is rather impractical for work-day purposes.

The lightweight flannels—increased flannellette, crepe de chine, albatross, matelasse—these are but a few of the favorites. China silk is an excellent suggestion for some kinds of gowns and jackets, and satin surah even more so.

We seem to have revolted from the dark (and economical) colors of past seasons to revel in the palest, most perishable hues.

There are several light shades of lavender or violet which are especially fashionable. Various light tints of yellow—mushroom, champagne and chamois, et cetera—are also making some lovely dressing gowns and slipovers. Shades come and go, but women still cling tenaciously to pale pink and blue, which are seen as much as ever this season. White is always sweet and womanly for the house. It is being made up in a hundred different ways, with an equal diversity in the matters of trimmings.—Exchange.

PERSONALS.

Mr. Norton Sharpe, who has been with the firm of C. F. Brower & Co. for many years, has resigned his place to accept a position with Russ, Eveleth & Ingalls, of Boston, for which he will travel for the draperies department. Mr. and Mrs. Sharpe will leave Thursday for the East and will reside at Mrs. Sharpe's old home in Concord, Mass. Dr. and Mrs. Lewis Bosworth have taken Mr. and Mrs. Sharpe's home on East Maxwell street, and will go to house keeping right away.

Mr. John Borkley's friends will be glad to hear that he is able to sit up after his long illness with typhoid fever.

Mrs. J. M. Sprague and little daughter are here with her parents, Mr. and Mrs. Adam Fieber, in Fayette Park, until April. Mr. Sprague, whose duties as Congressman will keep him from home for several months, will spend most of the time in Columbus, O., and Mrs. Sprague will be part of the time with him there and the rest here with her parents.

Mr. Lewis Norman, of Beattyville, was a guest in the city yesterday.

Mr. and Mrs. Harry Buckley have returned from their wedding trip and are at home at the Woman's Club on Second street. Mr. Buckley is very

New
White
Goods
For
Waistings

Mitchell,
Cassell
& Baker

popular here, where he has made his home for several years, and his bride will be given a warm welcome by his host of friends.

Miss Ethel Bell, who has been in Ohio spending the Christmas holidays with her mother, has returned to Lexington. Miss Bell, who has had the Book Lovers Library in the Lakeview Flower Store, will move today to the Ladies' Bazar, a few doors above, and asks all her friends to call there.

Mr. and Mrs. Marshall Guerrant, of Nicholasville, spent yesterday in the city. They will move here in the near future to make their home.

Miss John Rout and Miss Seacree were with friends here yesterday.

Mr. William Stanley, of Nicholasville, with the firm of James A. Todd, is able to be out again after a few days illness at his home.

Miss Hallie Morris, of East Bank, West Virginia, is here on a visit to her uncle, Capt. J. D. Yarrington, and family at Lakeview.

Mrs. Leslie Sloan's friends will be sorry to hear of her illness at her home on South Mill street.

Mrs. Nichols, of South Limestone street, has gone to Pittsburg, Pa., called by the illness of her son, Mr. F. A. Nichols, who has typhoid fever.

Miss Ethel Thomas, of Estill Springs, who has been spending part of the holidays here with her mother at Mrs. James Robinsons, on East Main street, will leave today for Virginia to resume her studies at college.

Miss Addie Stoll will return to Hollis, Va., Thursday to resume her college duties after a visit to her parents, Mr. and Mrs. James Stoll.

Madam Knott, at the head of the dress making department of the firm of James A. Todd, has resigned her position to go in business for herself, and will quit business the last of this month there. She is one of the most popular heads of this department. Lexington has ever had and her loss in this popular firm is heard with much regret. Her host of patrons and friends are much pleased that her resignation with the firm doesn't mean her loss to Lexington.

Mr. Simon Wolf, of Kaufman, Straus & Co., left last evening for a short business trip to Louisville.

Mr. and Mrs. Henry Anderson left last evening for their home in Ann Arbor, Michigan, after a visit to Mr. and Mrs. Harrison Simrall during the Christmas holidays.

Miss Elizabeth Laudeman will leave Friday for college in New York after a visit to her parents, Mr. and Mrs. W. H. Laudeman, for Christmas.

Miss Sophia Wilcott, of Nicholasville, is making a short visit to Miss Lillian Love.

Miss Emily Cunningham arrived here yesterday from her home in Mt. Sterling for a visit to Mrs. Samuel Stofor.

Mrs. Lillie B. Young, of this city, who has been making her home in Chicago for several years, has returned to Lexington and has taken her cottage on Constitution street recently

DR. A. C. LEONARD.

Office Removed to

200 WEST MAIN STREET,
Over McAdams & Morford's Drug Store

BIG SALE

Oriental Rugs

At the Oriental Palace. Goods will be sold at any price. Sale at 10 a. m. and 2 p. m. The sale on Thursday, Friday and Saturday. We are going away the end of the week, be sure and come.

A. S. MUSSELLAM.

vacated by Mr. and Mrs. Charles Stewart. Mr. and Mrs. Wood Ballard, who have part of the house, will remain with her.

Mrs. A. W. Bryant's friends will regret to hear that she is on the sick list.

Miss Angie Shouse has returned from a visit to Miss Mildred Vaughn, of Louisville, and her aunt, Mrs. Aaron Farra, of Pisgah.

Mr. Ernest Bradley left yesterday to resume his study of medicine at Ann Arbor, Mich., after a visit of two weeks to his parents, Mr. and Mrs. O. L. Bradley, of North Upper street.

Miss Jessie Harp has returned home after a visit to Miss Bessie Smiser, of Cynthia.

Mrs. Thomas Lenox has returned home after a visit to Mrs. Kate Clifford, of Cynthia.

Miss Laura Norwood has returned home after a visit to her cousin, Miss Alice Mehan, of Danville, Ky.

Mrs. Sidney Clay's friends will be sorry to learn that she continues ill at her home on West Third street.

Miss Lucile Rogers, of Versailles, spent yesterday in the city. On account of being under the care of an oculist she will not be able to return to New York to college with her sister this week, but will go at a later date.

Miss Curry Breckinridge has returned home after a visit to the Misses Daingerfield at Castleton.

Mr. and Mrs. John Peebles, of Portsmouth, O., arrived last evening for a month to Mr. and Mrs. Joseph Botts.

A BABY BOY.

If you want a dear little baby boy two months old, you can find him at the Children's Home. Will some tender-hearted mother donate long clothes for the little fellow. He needs everything at once. There was a most generous response to our call for a buggy for the little lame girl, for which thanks are tendered. The public is cordially invited to visit the Home at any and all times, and inspect its working. E. D. POTTS, Chairman Publishing Committee.

OPERA HOUSE.

Tuesday, January 5

THE RED LETTER DRAMATIC
EVENT OF THE CURRENT SEASON
FIRST JOINT APPEARANCE IN
THIS CITY OF

Ada Rehan

(N. B.—This will be the first appearance of Miss Rehan in Lexington.)

—AND—
Otis Skinner

Supported by a Sterling Company,
Environed By the Original Superb
DALY Production,
Presenting Sheridan's Immortal
Comedy,

The School For Scandal
Direction Liebler & Co.—Jos. Buckley

Prices.....25c to \$1.50

Friday, January 8

The Whitney
Opera Company

In Stange & Edwards
Military Opera

"When Johnny Comes
Marching Home."

Original New York Production and

Cast, Guaranteed Direct From

200 Nights in New York and

100 Nights in Chicago.

Prices.....25c to \$1.50

MATINEE AND NIGHT.

Saturday, January 9

The Great Lafayette

And His Great Company of Fifty People In His New Hindoo Mystic Play

Krishna The Divine

A Grand Scenic Production Introducing the Forest Dred Lion Majesta and the well known Vaudeville Stars

THE ELLIS-NOWLIN TRIO, LYNN WELCHER, MARTHA MONROE AND COMPANY, GERTRUDE SCHOTT, THE MANILA QUARTETTE, EMMA THOMPSON, THE FAMOUS BAND OF SOLOISTS.

—PRICES:—

Matinee.....25c, 35c 50c
Night.....25c to \$1.00

Boys and Girls

Can Earn

\$2.50 a Week

For Eight Weeks by a little thought. The Lexington Roller Mills Company will give a prize of \$2.50 each week for ads. See Sunday's Herald for particulars.

CREAM FLOUR

makes healthy, happy Boys and Girls.

AUCTION SALE

Of Beautiful East End Cottage
Wednesday, January 6th, at 11 A. M.

I will sell on the premises, No. 122 East End avenue, my beautiful Cottage, containing six rooms and reception hall, closets, pantry, bath room, electric lights, cabinet mantels, etc. All in thorough repair, newly papered and painted. Large lot, 150 by 150, with good stable, chicken house, etc. This is a very desirable home or investment. No city taxes. TERMS AT SALE.

JOHN W. BAIN, Auctioneer.

J. M. Hanson's Clubbing Offers.
LEXINGTON, KY.

MAGAZINES IN ANY CLUB MAY BE SENT TO ONE OR SEPARATE ADDRESSES.

All subscriptions are for one full year. Subscriptions may be either new or renewals.

Harper's Bazar or Pearson's Woman's Home Companion Cosmopolitan or Leslie's \$2.00 For any three One Year.

Success or Pearson's The Housekeeper \$1.00 My Club Price \$1.25

Woman's Home Comp'n \$1.00 My Club Price \$1.25

Success or Pearson's \$1.00 My Club Price \$1.25

Leslie's or Pearson's \$1.00 My Club Price \$1.25

Harper's Bazar \$1.00 My Club Price \$1.50

Leslie's or Pearson's \$1.00 My Club Price \$1.50

World's Work or Life \$1.00 My Club Price \$1.50

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Harper's Bazar \$1.00 My Club Price \$1.25

Woman's Home Comp'n \$1.00 My Club Price \$1.25

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PRESIDENT ROOSEVELT'S PANAMA MESSAGE

WASHINGTON, Jan. 5.—(Associated Press.)—The full text of President Roosevelt's message to Congress dealing with the Panama question is given herewith:

To the Senate and House of Representatives:

I lay before the Congress for its information a statement of my action up to this time in executing the act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902.

By the said act the President was authorized to secure for the United States the property of the Panama Canal Company and the perpetual control of a strip of six miles wide across the Isthmus of Panama. It was further provided that "should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia * * * within a reasonable time and upon reasonable terms, then the President" should endeavor to provide for a canal by the Nicaragua route. The language quoted defines with exactness and precision what was to be done, and what as a matter of fact has been done. The President was authorized to go to the Nicaragua route only if within a reasonable time he could not obtain "control of the necessary territory of the Republic of Colombia." This control has now been obtained; the provision of the act has been complied with; it is no longer possible under existing circumstances to go to the Nicaragua route as an alternative.

This act marked the climax of the effort on the part of the United States to secure, so far as legislation was concerned, an interoceanic canal across the Isthmus. The effort to secure a treaty for this purpose with one of the Central American republics did not stand on the same footing with the effort to secure a treaty under any ordinary conditions. The proper position for the United States to assume in reference to this canal, and therefore to the governments of the Isthmus, had been clearly set forth by Secretary Cass in 1858. In my Annual Message I have already quoted what Secretary Cass said; but I repeat the quotation here, because the principle it states is fundamental:

"While the rights of sovereignty of the states occupying this region (Central America) should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if administered with more regard to the demands of other nations than they have been, would be permitted, in a spirit of Eastern isolation, to close the gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is a most equivalent, to encumber them with such unjust relations as would prevent their general use."

The principle thus enunciated by Secretary Cass was sound then and it is sound now. The United States has taken the position that no other Government is to build the canal. In 1859, when France proposed to come to the aid of the French Panama Company by guaranteeing their bonds, the Senate of the United States in executive session, with only some three votes dissenting, passed a resolution as follows:

"That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as inimical to the just rights and interests of the United States and as a menace to their welfare."

Under the Hay-Pauncefote treaty it was explicitly provided that the United States should control, police and protect the canal which was to be built keeping it open for the vessels of all nations on equal terms. The United States thus assumed the position of guarantor of the canal and of its peaceful use by all the world. The guaranty included as a matter of course the building of the canal. The enterprise was recognized as responding to an international need; and it would be the veriest travesty on right and justice to treat the governments in possession of the Isthmus as having the right, in the language of Mr. Cass, "to close the gates of intercourse on the great highways of the world and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them."

When this Government submitted to

Colombia the Hay-Herran treaty three things were, therefore, already settled.

One was that the canal should be built. The time for delay, the time for permitting the attempt to be made by private enterprise, the time for permitting any government of anti-social spirit and of imperfect development to bar the work, was past. The United States had assumed in connection with the canal certain responsibilities not only to its own people, but to the civilized world, which imperatively demanded that there should no longer be delay in beginning the work.

Second, While it was settled that the canal should be built without unnecessary or improper delay, it was no less clearly shown to be our purpose to deal not merely in a spirit of justice but in a spirit of generosity with the people through whose land we might build it. The Hay-Herran treaty, if it erred at all, erred in the direction of an over-generosity towards the Colombian Government. In our anxiety to be fair we had gone to the very verge in yielding to a weak nation's demands what that nation was helplessly unable to enforce from us against our will. The only criticisms made upon the Administration for the terms of the Hay-Herran treaty were for having granted too much to Colombia, not for failure to grant enough. Neither in the Congress nor in the public press, at the time that this treaty was formulated, was there complaint that it did not in the fullest and amplest manner guarantee to Colombia everything that she could by any color of title demand.

Nor is the fact to be lost sight of that the rejected treaty, while generously responding to the pecuniary demands of Colombia, in other respects merely provided for the construction of the canal in conformity with the express requirements of the act of the Congress of June 28, 1902. By that act, as heretofore quoted, the President was authorized to acquire from Colombia, for the purposes of the canal, "perpetual control" of a certain strip of land; and it was expressly required that the "control" thus to be obtained should include "jurisdiction" to make police and sanitary regulations and to establish such judicial tribunals as might be agreed on for their enforcement. These were conditions precedent prescribed by the Congress; and for their fulfillment suitable stipulations were embodied in the treaty. It has been stated in public prints that Colombia objected to these stipulations, on the ground that they involved a relinquishment of her sovereignty; but in the light of what has taken place, this alleged objection must be considered as an afterthought. In reality, the treaty, instead of requiring a cession of Colombia's sovereignty over the canal strip, expressly acknowledged, confirmed, and preserved her sovereignty over it. The treaty in this respect simply proceeded on the lines on which all the negotiations leading up to the present situation have been conducted. In these negotiations the exercise by the United States, subject to the paramount rights of the local sovereign, of a substantial control over the canal and the immediately adjacent territory, has been treated as a fundamental part of any arrangement that might be made. It has formed an essential feature of all our plans, and its necessity is fully recognized in the Hay-Pauncefote treaty. The Congress, in providing that such control should be secured, adopted no new principle but only incorporated in its legislation a condition the importance and propriety of which were universally recognized. During all the years of negotiation and discussion that preceded the conclusion of the Hay-Herran treaty, Colombia never intimated that the requirement by the United States of control over the canal strip would render unattainable the construction of a canal by way of the Isthmus of Panama; nor were we advised, during the months when legislation of 1902 was pending before the Congress, that the terms which it embodied would render negotiations with Colombia impracticable. It is plain that no nation could construct and guarantee the neutrality of the canal with a less degree of control than was stipulated for in the Hay-Herran treaty. A refusal to grant such degree of control was necessarily a refusal to make any practicable treaty at all. Such refusal therefore squarely raised the question whether Colombia was entitled to bar the transit of the world's traffic across the Isthmus.

That the canal itself was eagerly demanded by the people of the locality through which it was to pass, and that the people of this locality no less eagerly longed for its construction under American control, are shown by the unanimity of action in the new Panama Republic. Furthermore, Colombia, after having rejected the treaty

in spite of our protests and warnings when it was in her power to accept it, has since shown the utmost eagerness to accept the same treaty if only the status quo could be restored. One of the men standing highest in the official circles of Colombia, on November 6, addressed the American minister at Bogota, saying that if the Government of the United States would land troops to preserve Colombian sovereignty and the transit, the Colombian Government would "declare martial law; and, by virtue of vested constitutional authority, when public order is disturbed [would] approve by decree the ratification of the canal treaty as signed; or, if the Government of the United States prefers, [would] call extra session of the Congress—with new and friendly members—next May to approve the treaty." Having these facts in view, there is no shadow of question that the Government of the United States proposed a treaty which was not merely just, but generous to Colombia, which our people regarded as erring, if at all, on the side of over-generosity; which was hailed with delight by the people of the immediate locality through which the canal was to pass, who were most concerned as to the new order of things, and which the Colombia authorities now recognize as being so good that they are willing to promise its unconditional ratification if only we will desert those who have shown themselves our friends and restore to those who have shown themselves unfriendly the power to undo what they did. I pass by the question as to what assurance we have that they would now keep their pledge and not again refuse to ratify the treaty if they had the power; for, of course, I will not for one moment discuss the possibility of the United States committing an act of such baseness as to abandon the new Republic of Panama.

Third, Finally the Congress definitely settled where the canal was to be built. It was provided that a treaty should be made for building the canal across the Isthmus of Panama; and if, after reasonable time, it proved impossible to secure such treaty, that then we should go to Nicaragua. The treaty has been made; for it needs no argument to show that the intent of the Congress was to insure a canal across Panama, and that whether the republic granting the title was called New Granada, Colombia, or Panama mattered not one whit. As events turned out, the question of "reasonable time" did not enter into the matter at all. Although, as the months went by, it became increasingly improbable that the Colombian Congress would ratify the treaty or take steps which would be equivalent thereto, yet all chance for such action on their part did not vanish until the Congress closed at the end of October; and within three days thereafter the revolution in Panama had broken out. Panama became an independent state, and the control of the territory necessary for building the canal then became obtainable. The condition under which alone we could have gone to Nicaragua thereby became impossible of fulfillment. If the pending treaty with Panama should not be ratified by the Senate this would not alter the fact that we could not go to Nicaragua. The Congress has decided the route, and there is no alternative under existing legislation.

When in August it began to appear probable that the Colombian Legislature would not ratify the treaty it became incumbent upon me to consider well what the situation was and to be ready to advise the Congress as to what were the various alternatives of action open to us. There were several possibilities. One was that Colombia would at the last moment see the wisdom of her position. That there might be nothing omitted, Secretary Hay, through the minister at Bogota, repeatedly warned Colombia that grave consequences might follow from her rejection of the treaty. Although it was a constantly diminishing chance, yet the possibility of ratification did not wholly pass away until the close of the session of the Colombian Congress.

A second alternative was that by the close of the session on the last day of October, without the ratification of the treaty by Colombia and without any steps taken by Panama, the American Congress on assembling early in November would be confronted with a situation in which there had been a failure to come to terms as to building the canal along the Panama route, and yet there had not been a lapse of a reasonable time—using the word reasonable in any proper sense—such as would justify the Administration going to the Nicaragua route. This situation seemed on the whole the most likely, and as a matter of fact I had made the original draft of my Message to the Congress with

a view to its existence.

It was the opinion of eminent international jurists that in view of the fact that the great design of our guarantee under the treaty of 1846 was to dedicate the Isthmus to the purposes of interoceanic transit, and above all to secure the construction of an interoceanic canal, Colombia could not under existing conditions refuse to enter into a proper arrangement with the United States to that end, without violating the spirit and substantially repudiating the obligations of a treaty the full benefits of which she had enjoyed for over fifty years. My intention was to consult the Congress as to whether under such circumstances it would be proper to announce that the canal was to be dug forthwith; that we would give the terms that we had offered and no others; and that if such terms were not agreed to we would enter into an arrangement with Panama direct, or take what steps were needful in order to begin the enterprise.

A third possibility was that the people of the Isthmus, who had formerly constituted an independent state, and who until recently were united to Colombia only by a loose tie of federal relationship, might take the protection of their own vital interests into their own hands, reassert their former rights, declare their independence upon just grounds, and establish a government competent and willing to do its share in this great work for civilization. This third possibility is what actually occurred. Every one knew that it was a possibility, but it was not until towards the end of October that it appeared to be an imminent probability. Although the Administration, of course, had special means of knowledge, no such means were necessary in order to appreciate the possibility, and toward the end the likelihood, of such a revolutionary outbreak and of its success. It was a matter of common notoriety. Quotations from the daily papers could be indefinitely multiplied to show this state of affairs; a very few will suffice. From Costa Rica on August 31 a special was sent to the Washington Post, running as follows:

"San Jose, Costa Rica, Aug. 31.

"Travelers from Panama report the Isthmus alive with fires of a new revolution. It is inspired, it is believed, by men who, in Panama and Colon, have systematically engendered the pro-American feeling to secure the building of the Isthmian canal by the United States.

"The Indians have risen, and the late followers of Gen. Benjamin Herrera are mustering in the mountain villages, preparatory to joining in an organized revolt, caused by the rejection of the canal treaty.

"Hundreds of stacks of arms confiscated by the Colombian Government at the close of the late revolution, have reappeared from some mysterious source, and thousands of rifles that the United States captured in Cuba are issuing to the gathering forces from central points of distribution. With the arms goes ammunition, fresh from factories, showing the movement is not spasmodic, but is carefully planned.

"The Government forces in Panama and Colon, numbering less than 1,500 men, are reported to be a little more than friendly to the revolutionary spirit. They have been ill paid since the revolution closed and their only hope of prompt payment is another war.

"General Huertas, commander of the forces, who is ostensibly loyal to the Bogota Government, is said to be secretly friendly to the proposed revolution. At least, all his personal friends are open in denunciation of the Bogota Government and the failure of the Colombian Congress to ratify the canal treaty.

"The consensus of opinion gathered from late arrivals from the Isthmus is that the revolution is coming, and that it will succeed."

A special dispatch to the Washington Post, under date of New York, September 1, runs as follows:

"B. G. Duque, editor and proprietor of the Panama Star and Herald, a resident of the Isthmus during the past twenty-seven years, who arrived today in New York, declared that if the canal treaty fell through a revolution would be likely to follow.

"There is a very strong feeling in Panama," said Mr. Duque, "that Colombia, in negotiating the sale of a canal concession in Panama, is looking for profits that might just as well go to Panama herself.

"The Colombian Government, only the other day, suppressed a newspaper that dared to speak of independence for Panama. A while ago there was a secret plan afoot to cut loose from Colombia and seek the protection of the United States."

In the New York Herald of September 10 the following statement ap-

peared:

"Representatives of strong interests on the Isthmus of Panama who make their headquarters in this city are considering a plan of action to be undertaken in co-operation with men of similar views in Panama and Colon to bring about a revolution and form an independent government in Panama opposed to that in Bogota.

"There is much indignation on the Isthmus on account of the failure of the canal treaty, which is ascribed to the authorities at Bogota. This opinion is believed to be shared by a majority of the Isthmians of all shades of political belief, and they think it is to their best interest for a new republic to be formed on the Isthmus, which may negotiate directly with the United States a new treaty which will permit the digging of the Panama canal under favorable conditions."

In the New York Times, under date of September 13, there appeared from Bogota the following statement:

"A proposal made by Senor Perez y Sotos to ask the Executive to appoint an anti-secessionist governor in Panama has been approved by the Senate. Speakers in the Senate said that Senor Obaldia, who was recently appointed governor of Panama, and who is favorable to a canal treaty, was a menace to the national integrity. Senor Marroquin protested against the action of the Senate.

"President Marroquin succeeded later in calming the Congressmen. It appears that he was able to give them satisfactory reasons for Governor Obaldia's appointment. He appears to realize the imminent peril of the Isthmus of Panama declaring its independence.

"Senor Deroux, representative for a Panama constituency, recently delivered a sensational speech in the House. Among other things he said:

"In Panama the bishops, governors, magistrates, military chiefs, and their subordinates have been and are foreign to the department. It seems that the Government, with surprising tenacity, wishes to exclude the Isthmus from all participation in public affairs.

As regards international dangers in the Isthmus, all I can say is that if those dangers exist they are due to the conduct of the national government, which is in the direction of reaction.

"If the Colombian Government will not take action with a view to preventing disaster, the responsibility will rest with it alone."

In the New York Herald of October 26 it was reported that a revolutionary expedition of about seventy men had actually landed on the Isthmus. In the Washington Post of October 29 it was reported from Panama that in view of the impending trouble on the Isthmus the Bogota Government had gathered troops in sufficient numbers to at once put down an attempt at secession. In the New York Herald of October 30 it was announced from Panama that Bogota was hurrying troops to the Isthmus to put down the projected revolt. In the New York Herald of November 2 it was announced that in Bogota the Congress had indorsed the energetic measures taken to meet the situation on the Isthmus and that 6,000 men were about to be sent thither.

Quotations like the above could be multiplied indefinitely. Suffice it to say that it was notorious that revolutionary trouble of a serious nature was impending upon the Isthmus. But it was not necessary to rely exclusively upon such general means of information. On October 15 Commander Hubbard, of the Navy, notified the Navy Department that, though things were quiet on the Isthmus, a revolution had broken out in the State of Canoa. On October 16, at the request of Lieutenant-General Young, I saw Capt. C. B. Humphrey and Lieut. Mallet-Prevost Murphy, who had just returned from a four months' tour through the northern portions of Venezuela and Colombia. They stopped in Panama on their return in the latter part of September. At the time they were sent down there had been no thought of their going to Panama, and their visit to the Isthmus was but an unpremeditated incident of their return journey; nor had they been spoken to by any one at Washington regarding the possibility of a revolt. Until they landed at Colon they had no knowledge that a revolution was impending, save what they had gained from the newspapers. What they saw in Panama so impressed them that they reported thereon to Lieutenant-General Young, according to his memorandum—

"That while on the Isthmus they became satisfied beyond question that, owing largely to the dissatisfaction because of the failure of Colombia to ratify the Hay-Herran treaty, a revolutionary party was in course of organization having for its object the separation of the State of Panama from Colombia, the leader being Dr. Richard Arango, a former governor of Panama; that when they were on the Isthmus arms and ammunition were being smuggled into the city of Colon in piano boxes, merchandise crates, etc., the small arms received being principally the Gras French rifle, the Remington, and the Mauser; that nearly every citizen in Panama had some sort of rifle or gun in his possession, with ammunition therefor; that in the city of Panama there had been organized a fire brigade which was really intended for revolutionary military organization; that there were representatives of the revolutionary organization at all important points on the Isthmus; that in Panama, Colon, and the other principal places of the Isthmus police forces had been organized which were in reality revolutionary forces; that the people on the Isthmus seemed to be unanimous in their sentiment against the Bogota Government, and their disgust over the failure of that Government to ratify the treaty providing for the construction of the canal, and that a revolution might be expected immediately upon the adjournment of the Colombian Congress without ratification of the treaty."

Lieutenant-General Young regarded their report as of such importance as to make it advisable that I should personally see these officers. They told me what they had already reported to the Lieutenant-General, adding that on the Isthmus the excitement was seething, and that the Colombian troops were reported to be disaffected. In response to a question of mine they informed me that it was the general belief that the revolution might break out at any moment, and if it did not happen before, would doubtless take place immediately after the closing of the Colombian Congress (at the end of October) if the canal treaty were not ratified. They were certain that the revolution would occur, and before leaving the Isthmus had made their own reckoning as to the time, which they had set down as being probably from three to four weeks after their leaving. The reason they set this as the probable inside limit of time was that they reckoned that it would be at least three or four weeks—say not until October 20—before a sufficient quantity of arms and munitions would have been landed.

In view of all these facts I directed the Navy Department to issue instructions such as would insure our having ships within easy reach of the Isthmus in the event of need arising. Orders were given on October 19 to the Boston to proceed to San Juan del Sur, Nicaragua; to the Dixie to prepare to sail from League Island; and to the Atlanta to proceed to Guantanamo. On October 20 the Nashville was ordered to proceed to Colon. On November 2 when the Colombian Congress having adjourned, it was evident that the outbreak was imminent, and when it was announced that both sides were making ready forces whose meeting would mean bloodshed and disorder, the Colombian troops having been embarked on vessels, the following instructions were sent to the commanders of the Boston, Nashville and Dixie:

"Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Colombian or insurgent, at any point within fifty miles of Panama. Government force reported approaching the Isthmus in vessels. Prevent their landing it, in your judgment, the landing would precipitate a conflict."

These orders were delivered in pursuance of the policy on which our Government had repeatedly acted. This policy was exhibited in the following orders, given under somewhat similar circumstances last year, and the year before. The first two telegrams are from the Department of State to the consul at Panama:

"July 25, 1900.—You are directed to protest against any act of hostility which may involve or imperil the safe and peaceful transit of persons or property across the Isthmus of Panama. The bombardment of Panama would have this effect, and the United States must insist upon the neutrality of the Isthmus as guaranteed by the treaty."

"November 29, 1901.—Notify all parties molesting or interfering with free transit across the Isthmus that such interference must cease and that the United States will prevent the interruption of traffic upon the railroad. Consult with captain of the Iowa, who will be instructed to land marines, if necessary, for the protection of the railroad, in accordance with the treaty rights and obligations of the United States. Desirable to avoid bloodshed, if possible."

The next three telegrams are from

from Colombia, the leader being Dr. Richard Arango, a former governor of Panama; that when they were on the Isthmus arms and ammunition were being smuggled into the city of Colon in piano boxes, merchandise crates, etc., the small arms received being principally the Gras French rifle, the Remington, and the Mauser; that nearly every citizen in Panama had some sort of rifle or gun in his possession, with ammunition therefor; that in the city of Panama there had been organized a fire brigade which was really intended for revolutionary military organization; that there were representatives of the revolutionary organization at all important points on the Isthmus; that in Panama, Colon, and the other principal places of the Isthmus police forces had been organized which were in reality revolutionary forces; that the people on the Isthmus seemed to be unanimous in their sentiment against the Bogota Government, and their disgust over the failure of that Government to ratify the treaty providing for the construction of the canal, and that a revolution might be expected immediately upon the adjournment of the Colombian Congress without ratification of the treaty."

Lieutenant-General Young regarded their report as of such importance as to make it advisable that I should personally see these officers. They told me what they had already reported to the Lieutenant-General, adding that on the Isthmus the excitement was seething, and that the Colombian troops were reported to be disaffected. In response to a question of mine they informed me that it was the general belief that the revolution might break out at any moment, and if it did not happen before, would doubtless take place immediately after the closing of the Colombian Congress (at the end of October) if the canal treaty were not ratified. They were certain that the revolution would occur, and before leaving the Isthmus had made their own reckoning as to the time, which they had set down as being probably from three to four weeks after their leaving. The reason they set this as the probable inside limit of time was that they reckoned that it would be at least three or four weeks—say not until October 20—before a sufficient quantity of arms and munitions would have been landed.

In view of all these facts I directed the Navy Department to issue instructions such as would insure our having ships within easy reach of the Isthmus in the event of need arising. Orders were given on October 19 to the Boston to proceed to San Juan del Sur, Nicaragua; to the Dixie to prepare to sail from League Island; and to the Atlanta to proceed to Guantanamo. On October 20 the Nashville was ordered to proceed to Colon. On November 2 when the Colombian Congress having adjourned, it was evident that the outbreak was imminent, and when it was announced that both sides were making ready forces whose meeting would mean bloodshed and disorder, the Colombian troops having been embarked on vessels, the following instructions were sent to the commanders of the Boston, Nashville and Dixie:

"Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Colombian or insurgent, at any point within fifty miles of Panama. Government force reported approaching the Isthmus in vessels. Prevent their landing it, in your judgment, the landing would precipitate a conflict."

These orders were delivered in pursuance of the policy on which our Government had repeatedly acted. This policy was exhibited in the following orders, given under somewhat similar circumstances last year, and the year before. The first two telegrams are from the Department of State to the consul at Panama:

"July 25, 1900.—You are directed to protest against any act of hostility which may involve or imperil the safe and peaceful transit of persons or property across the Isthmus of Panama. The bombardment of Panama would have this effect, and the United States must insist upon the neutrality of the Isthmus as guaranteed by the treaty."

"November 29, 1901.—Notify all parties molesting or interfering with free transit across the Isthmus that such interference must cease and that the United States will prevent the interruption of traffic upon the railroad. Consult with captain of the Iowa, who will be instructed to land marines, if necessary, for the protection of the railroad, in accordance with the treaty rights and obligations of the United States. Desirable to avoid bloodshed, if possible."

The next three telegrams are from

and to the Secretary of the Navy:

"September 12, 1902.

"Ranger, Panama:

"United States guarantees perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. * * * Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you or should use of road be permitted which might convert the line of transit into theater of hostility. MOODY."

"Colon, September 20, 1902.

"Secretary Navy, Washington:

"Everything is conceded. The United States guards and guarantees traffic and the line of transit. Today I permitted the exchange of Colombian troops from Panama to Colon, about 1,000 men each way, the troops without arms in train guarded by American naval force in the same manner as other passengers; arms and ammunition in separate train, guarded also by naval force in the same manner as other freight. McLEAN."

"Panama, October 3, 1902.

"Secretary Navy:

"Have sent this communication to the American consul at Panama:

"Inform governor while trains running under United States protection I must decline transportation any combatants, ammunition, arms, which might cause interruption traffic or convert line of transit into theater hostilities. CASEY."

On November 3 Commander Hubbard responded to the above-quoted telegram of November 2, 1903, saying that before the telegram had been received 100 Colombian troops from Cartagena had landed at Colon; that there had been no revolution on the Isthmus, but that the situation was most critical if the revolutionary leaders should act. On this same date the Associated Press in Washington received a bulletin stating that a revolutionary outbreak had occurred. When this was brought to the attention of the Assistant Secretary of State, Mr. Loomis, he prepared the following cablegram to the consul-general at Panama and the consul at Colon:

"Uprising on Isthmus reported. Keep Department promptly and fully informed."

Before this telegram was sent, however, one was received from Consul Malmros at Colon, running as follows:

"Revolution imminent. Government force on the Isthmus about 500 men. Their official promised support revolution. Fire department, Panama, 411, are well organized and favor revolution. Government vessel, Cartagena, with about 100 men, arrived early today with new commander in chief, To-bar. Was not expected until November 10. To-bar's arrival is not probable to stop revolution."

This cablegram was received at 2:55 p. m., and at 3:40 p. m. Mr. Loomis sent the telegram which he had already prepared to both Panama and Colon. Apparently, however, the consul-general at Panama had not received the information embodied in the Associated Press bulletin, upon which the Assistant Secretary of State based his dispatch; for his answer was that there was no uprising, although the situation was critical, this answer being received at 8:15 p. m. Immediately afterwards he sent another dispatch, which was received at 9:50 p. m., saying that the uprising had occurred, and had been successful, with no bloodshed. The Colombian gunboat Bogota next day began to shell the city of Panama, with the result of killing one Chinaman. The consul-general was directed to notify her to stop firing. Meanwhile, on November 4, Commander Hubbard notified the Department that he had landed a force to protect the lives and property of American citizens against the threats of the Colombian soldiery.

Before any stop whatever had been taken by the United States troops to restore order, the commander of the newly landed Colombian troops had indulged in wanton and violent threats against American citizens, which created serious apprehension. As Commander Hubbard reported in his letter of November 5, this officer and his troops practically began war against the United States, and only the forbearance and coolness of our officers and men prevented bloodshed. The letter of Commander Hubbard is of such interest that it deserves quotation in full, and runs as follows:

"U. S. S. Nashville, Third Rate, 'Colon, U. S. S. Colombia, No. 5, 1903.

"Sir:—Pending a complete report of the occurrences of the last three days in Colon, Colombia, I most respectfully invite the Department's attention to those of those date of Wednesday, November 4, which amounted to practically the making of war against the United States by the officer in command of the Colombian troops in Colon. At 1 o'clock p. m. on that date I was summoned on shore by a preconcerted signal, and on landing met the

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PRESIDENT'S MESSAGE

(Continued From Ninth Page.)

river, nor make a single roadway, nor erect a single college where our children could be educated, nor do anything at all to advance our industries. . . . Well, when the new generals came we seized them, arrested them, and the town of Panama was in joy. Not a protest was made, except the shots fired from the Colombian gunboat Bogota, which killed one Chinese lying in his bed. We were willing to encounter the Colombian troops at Colon and fight it out; but the commander of the United States cruiser Nashville forbade Superintendent Shaler to allow the railroad to transport troops for either party. That is our story."

I call especial attention to the concluding portion of this interview which states the willingness of the Panama people to fight the Colombian troops and the refusal of Commander Hubbard to permit them to use the railroad and therefore to get into a position where the fight could take place. It thus clearly appears that the fact that there was no bloodshed on the Isthmus was directly due—and only due—to the prompt and firm enforcement by the United States of its traditional policy. During the past forty years revolutions and attempts at revolution have succeeded one another with monotonous regularity on the Isthmus, and again and again United States sailors and marines have been landed as they were landed in this instance and under similar instructions to protect the transit. One of these revolutions resulted in three years of warfare; and the aggregate of bloodshed and misery caused by them has been incalculable. The fact that in this last revolution not a life was lost, save that of the man killed by the shells of the Colombian gunboat, and no property destroyed, was due to the action which I have described. We, in effect, policed the Isthmus in the interest of its inhabitants and of our own national needs, and for the good of the entire civilized world. Failure to act as the Administration acted would have meant great waste of life, great suffering, great destruction of property; all of which was avoided by the firmness and prudence with which Commander Hubbard carried out his orders and prevented either party from attacking the other. Our action was for the peace both of Colombia and of Panama. It is earnestly to be hoped that there will be no unwise conduct on our part which may encourage Colombia to embark on a war which can result in her regaining control of the Isthmus, but which may cause much bloodshed and suffering.

Denies Insinuations.

I hesitate to refer to the injurious insinuations which have been of complicity by this Government in the revolutionary movement in Panama. They are as destitute of foundation as of propriety. The only excuse for my mentioning them is the fear lest unthinking persons might mistake for acquiescence the silence of mere self-respect. I think proper to say, therefore, that no one connected with this Government had any part in preparing inciting, or encouraging the late revolution on the Isthmus of Panama, and that save from the reports of our military and naval officers, given above, no one connected with this Government had any previous knowledge of the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a current acquaintance with public affairs.

Establishing the Republic.

By the unanimous action of its people, without the firing of a shot—with a unanimity hardly before recorded in any similar case—the people of Panama declared themselves an independent Republic. Their recognition by this Government was based upon a state of facts in no way dependent for its justification upon our action in ordinary cases. I have not denied, nor do I wish to deny the validity or the propriety of the general rule that a new state should not be recognized as independent till it has shown its ability to maintain its independence. This rule is derived from the principle of nonintervention, and as a corollary of that principle has generally been observed by the United States. But, like the principle from which it is deduced, the rule is subject to exceptions and there are in my opinion clear and imperative reasons why a departure from it was justified and even required in the present instance. These reasons embrace, first, our treaty rights; second, our national interests and safety; and, third, the interests of collective civilization.

The Granada Treaty.

I have already adverted to the treaty of 1846, by the thirty-fifth article of which the United States secured the right to a free and open transit across the Isthmus of Panama, and

to that end agreed to guarantee to New Granada her rights of sovereignty and property over that territory. This article is sometimes discussed as if the latter guarantee constituted its sole object and bound the United States to protect the sovereignty of New Granada against domestic revolution. Nothing, however, could be more erroneous than this supposition. That our wise and patriotic ancestors, with all their dread of entangling alliances, would have entered into a treaty with New Granada solely or even primarily for the purpose of enabling that remnant of the original Republic of Colombia, then resolved into the States of New Granada, Venezuela, and Ecuador, to continue from Bogota to rule over the Isthmus of Panama, is a conception that would in itself be incredible, even if the contrary did not clearly appear. It is true that since the treaty was made the United States has again and again been obliged forcibly to intervene for the preservation of order and the maintenance of an open transit, and that this intervention has usually operated to the advantage of the titular Government of Colombia, but it is equally true that the United States in intervening, with or without Colombia's consent, for the protection of the transit, has disclaimed any duty to defend the Colombian Government against domestic insurrection or against the erection of an independent government on the Isthmus of Panama. The attacks against which the United States engaged to protect New Granadian sovereignty were those of foreign powers; but this engagement was only a means to the accomplishment of a yet more important end. The great design of the article was to assure the dedication of the Isthmus to the purposes of free and unhindered interoceanic transit, the consummation of which would be found in an interoceanic canal. To the accomplishment of this object the Government of the United States had for years directed its diplomacy. It occupied a place in the instructions to our delegates to the Panama Congress during the administration of John Quincy Adams. It formed the subject of a resolution of the Senate in 1835, and of the House of Representatives in 1839. In 1864 its importance had become still more apparent by reason of the Mexican war. If the treaty of 1846 did not in terms bind New Granada to grant reasonable concessions for the construction of means of interoceanic communication, it was only because it was not imagined that such concessions would ever be withheld. As it was expressly agreed that the United States, in consideration of its enormous guarantee of New Granadian sovereignty, should possess the right of free and open transit on any modes of communication that might be constructed, the obvious intent of the treaty rendered it necessary, if not superfluous, in terms to stipulate that permission for the construction of such modes of communication should not be denied.

Long before the conclusion of the Hay-Herran treaty the course of events had shown that a canal to connect the Atlantic and Pacific oceans must be built by the United States or not at all. Experience had demonstrated that private enterprise was utterly inadequate for the purpose; and a fixed policy, declared by the United States on many memorable occasions, and supported by the practically unanimous voice of American opinion, had rendered it morally impossible that the work should be undertaken by European powers, either singly or in combination. Such were the universally recognized conditions on which the legislation of the Congress was based, and on which the late negotiations with Colombia were begun and concluded. Nevertheless, when the well-considered agreement was rejected by Colombia and the revolution on the Isthmus ensued, one of Colombia's first acts was to invoke the intervention of the United States; nor does her invitation appear to have been confined to this Government alone. By a telegram from Mr. Beaupre, our minister at Bogota, of the 7th of November last, we were informed that General Reyes would soon leave Panama invested with full powers; that he had telegraphed the President of Mexico to ask the Government of the United States and all countries represented at the Pan-American Conference "to aid Colombia to preserve her integrity;" and that he had requested that the Government of the United States should meanwhile "preserve the neutrality and transit of the Isthmus" and should "not recognize the new Government." In another telegram from Mr. Beaupre, which was sent later in the day, this Government was asked whether it would take action "to maintain Colombian right and sovereignty on the Isthmus in accordance with article 35 [of] the treaty of 1846" in case the Colombian Government should be "entirely unable to suppress the secessionist movement there." Here was a direct solicitation to the United States to intervene for the purpose of suppressing, contrary to the treaty of 1846 as this Government has uniformly construed it, a new revolt against Colombia's authority brought by her own refusal to permit the fulfillment

of the great design for which that treaty was made. It was under these circumstances that the United States, instead of using its forces to destroy those who sought to make the engagements of the treaty a reality, recognized them as the proper custodians of the sovereignty of the Isthmus.

Need of Canal.

This recognition was, in the second place, further justified by the highest considerations of our national interests and safety. In all the range of our international relations, I do not hesitate to affirm that there is nothing of greater or more pressing importance than the construction of an interoceanic canal. Long acknowledged to be essential to our commercial development, it has become, as the result of the recent extension of our territorial dominion, more than ever essential to our national self-defense. In transmitting to the Senate the treaty of 1846, President Polk pointed out as the principal reason for its ratification that the passage of the Isthmus, which it was designed to secure, "would relieve us from a long and dangerous navigation of more than 9,000 miles around Cape Horn, and render our communication with our own possessions on the northwest coast of America comparatively easy and speedy." The events of the past five years have given to this consideration an importance immeasurably greater than it possessed in 1846. In the light of our present situation, the establishment of easy and speedy communication by sea between the Atlantic and the Pacific presents itself not simply as something to be desired, but as an object to be positively and promptly attained. Reasons of convenience have been superseded by reasons of vital necessity, which do not admit of indefinite delays.

To such delays the rejection by Colombia of the Hay-Herran treaty directly exposed us. As proof of this fact I need only refer to the program outlined in the report of the majority of the Panama canal committee, read in the Colombian Senate on the 14th of October last. In this report, which recommended that the discussion of a law to authorize the Government to enter upon new negotiations should be indefinitely postponed, it is proposed that the consideration of the subject should be deferred till October 31, 1904, when the next Colombian Congress should have met in ordinary session. By that time, as the report goes on to say, the extension of time granted to the New Panama Canal Company by treaty in 1893 would have expired, and the new Congress would be in a position to take up the question whether the company had not, in spite of further extensions that had been granted by legislative acts, forfeited all its property and rights. "When that time arrives," the report significantly declares, "the Republic, without any impediment, will be able to contract, and will be in more clear, more definite, and more advantageous possession, both legally and materially." The naked meaning of this report is that Colombia proposed to wait until, by the enforcement of a forfeiture repugnant to the ideas of justice which obtain in every civilized nation, the property and rights of the New Panama Canal Company could be confiscated.

Such is the scheme to which it was proposed that the United States should be invited to become a party. The construction of the canal was to be relegated to the indefinite future while Colombia was, by reason of her own delay, to be placed in the "more advantageous" position of claiming not merely the compensation to be paid by the United States for the privilege of completing the canal, but also the forty millions authorized by the act of 1902 to be paid for the property of the New Panama Canal Company. That the attempt to carry out this scheme would have brought Colombia into conflict with the Government of France can not be doubted; nor could the United States have counted upon immunity from the consequences of the attempt, even apart from the indefinite delays to which the construction of the canal was to be subjected. On the first appearance of danger to Colombia, this Government would have been summoned to interpose, in order to give effect to the guarantee of the treaty of 1846; and all this in support of a plan which, while characterized in its first stage by the wanton disregard of our own highest interests, was fitly to end in further injury to the citizens of a friendly nation, whose enormous losses in their generous efforts to pierce the Isthmus have become a matter of history.

Collective Civilization.

In the third place, I confidently maintain that the recognition of the Republic of Panama was an act justified by the interests of collective civilization. It ever a government could be said to have received a mandate from civilization to effect an object the accomplishment of which was demanded in the interest of mankind, the United States holds that position with regard to the interoceanic canal. Since our purpose to build the canal was definitely announced, there have come from all quarters assurances of approval and encouragement, in which

even Colombia herself at one time participated; and to general assurances were added specific acts and declarations. In order that no obstacle might stand in our way, Great Britain renounced important rights under the Clayton-Bulwer treaty and agreed to its abrogation, receiving in return nothing but our honorable pledge to build the canal and protect it as an open highway. It was in view of this pledge, and of the proposed enactment by the Congress of the United States of legislation to give it immediate effect, that the second Pan-American Conference, at the City of Mexico, on January 22, 1902, adopted the following resolution:

"The Republic assembled at the International Conference of Mexico applaud the purpose of the United States Government to construct an interoceanic canal, and acknowledge that this work will not only be worthy of the greatness of the American people, but also in the highest sense a work of civilization, and to the greatest degree beneficial to the development of commerce between the American States and the other countries of the world."

Among those who signed this resolution on behalf of their respective governments was General Reyes, the delegate of Colombia. Little could it have been foreseen that two years later the Colombian Government, led astray by false allures of selfish advantage, and forgetful alike of its international obligations and of its duties and responsibilities of sovereignty, would thwart the efforts of the United States to enter upon and complete a work which the nations of America, re-echoing the sentiment of the nations of Europe, had pronounced to be not only "worthy of the greatness of the American people," but also "in the highest sense a work of civilization."

Confirmed by Powers.

That our position as the mandatory of civilization has been by no means misconceived is shown by the promptitude with which the powers have, one after another, followed our lead in recognizing Panama as an independent State. Our action in recognizing the new Republic has been followed by like recognition on the part of France, Germany, Denmark, Russia, Sweden and Norway, Nicaragua, Peru, China, Cuba, Great Britain, Italy, Costa Rica, Japan and Austria-Hungary.

In view of the manifold considerations of treaty right and obligation, of national interest and safety, and of collective civilization, by which our Government was constrained to act, I am at a loss to comprehend the attitude of those who can discern in the recognition of the Republic of Panama only a general approval of the principle of "revolution" by which a given government is overturned or one portion of a country separated from another. Only the amplest justification can warrant a revolutionary movement of either kind. But there is no fixed rule which can be applied to all such movements. Each case must be judged on its own merits. There have been many revolutionary movements, many movements for the dismemberment of countries, which were evil, tried by any standard. But in my opinion no, disinterested and fair-minded observer acquainted with the circumstances can fail to feel that Panama had the amplest justification for separation from Colombia under the conditions existing, and, moreover, that its action was in the highest degree beneficial to the interests of the entire civilized world by securing the immediate opportunity for the building of the interoceanic canal. It would be well for those who are pessimistic as to our action in peacefully recognizing the Republic of Panama, while we lawfully protected the transit from invasion and disturbance, to recall what has been done in Cuba, where we intervened even by force on general grounds of national interest and duty. When we interfered it was freely prophesied that we intended to keep Cuba and administer it for our own interests. The result has demonstrated in singularly conclusive fashion the falsity of these prophecies. Cuba is now an independent Republic. We governed it in its own interests for a few years, till it was able to stand alone, and then started it upon its career of self-government and independence, granting it all necessary aid. We have received from Cuba a grant of two naval stations, so situated that they in no possible way menace the liberty of the island, and yet serve as important defenses for the Cuban people, as well as for our own people, against possible foreign attack. The people of Cuba have been immeasurably benefited by our interference in their behalf, and our own gain has been great. So will it be with Panama. The people of the Isthmus, and as I firmly believe of the adjacent parts of Central and South America, will be greatly benefited by the building of the canal and the guarantee of peace and order along its line; and hand in hand with the benefit to them will go the benefit to us and to mankind. By our prompt and decisive action, not only have our interests and those of the world at large been conserved, but we have forestalled complications which were

likely to be fruitful in loss to ourselves, and in bloodshed and suffering to the people of the Isthmus.

Instead of using our forces, as we were invited by Colombia to do, for the twofold purpose of defeating our own rights and interests and the interests of the civilized world, and of compelling the submission of the people of the Isthmus to those whom they regarded as oppressors, we shall, as in duty bound, keep the transit open and prevent its invasion. Meanwhile the only question now before us is that of the ratification of the treaty. For it is to be remembered that a failure to ratify the treaty will not undo what has been done, will not restore Panama to Colombia, and will not alter our obligation to keep the transit open across the Isthmus, and to prevent any outside power from menacing this transit.

It seems to have been assumed in certain quarters that the proposition that the obligations of article 35 of the treaty of 1846 are to be considered as adhering to and following the sovereignty of the Isthmus, so long as that sovereignty is not absorbed by the United States, rests upon some novel theory. No assumption could be further from the fact. It is by no means true that a state in declaring its independence rids itself of all the treaty obligations entered into by the parent government. It is a mere coincidence that this question was once raised in a case involving the obligations of Colombia as an independent State under a treaty which Spain had made with the United States many years before Spanish-American independence. In that case Mr. John Quincy Adams, Secretary of State, in an instruction to Mr. Anderson, our minister to Colombia, of May 27, 1823, said:

Adam's Position.

"By a treaty between the United States and Spain concluded at a time when Colombia was a part of the Spanish dominions . . . the principle that free ships make free goods was expressly recognized and established. It is asserted that by her declaration of independence Colombia has been entirely released from all the obligations by which, as a part of the Spanish nation, she was bound to other nations. This principle is not tenable. To all the engagements of Spain with other nations, affecting their rights and interests, Colombia, so far as she was affected by them, remains bound in honor and in justice. The stipulation now referred to is of that character."

The principle thus asserted by Mr. Adams was afterwards sustained by an international commission in respect to the precise stipulation to which he referred; and a similar position was taken by the United States with regard to the binding obligation upon the independent State of Texas of commercial stipulations embodied in prior treaties between the United States and Mexico when Texas formed a part of the latter country. But in the present case it is unnecessary to go so far. Even if it be admitted that prior treaties of a political and commercial complexion generally do not bind a new State formed by separation, it is undeniably that stipulations having a local application to the territory embraced in the new States continue in force and are binding upon the new sovereign. Thus it is on all hands conceded that treaties relating to boundaries and to rights of navigation continue in force without regard to changes in government or in sovereignty. This principle obviously applies to that part of the treaty of 1846, which relates to the Isthmus of Panama.

In conclusion let me repeat that the question actually before this Government is not that of the recognition of Panama as an independent Republic. That is already an accomplished fact. The question, and the only question, is whether or not we shall build an Isthmian canal.

I transmit herewith copies of the latest notes from the minister of the Republic of Panama to this Government, and of certain notes which have passed between the special envoy of the Republic of Colombia and this Government.

THEODORE ROOSEVELT.

White House, January 4, 1904.

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GOVERNMENT THERMOMETER

The following temperature and rainfall data were recorded at the United States Weather Bureau, State College, yesterday, Monday, January 4, 1904:

6 a. m.	10	12 m.	17
8 a. m.	11	2 p. m.	18
10 a. m.	15	4 p. m.	18
Maximum temperature, 19 degrees.			
Minimum temperature, 10 degrees.			
Mean temperature, 14 degrees.			
Precipitation, none.			
Deficiency since January 1, 1904, 11 inches.			

R. H. DEAN, Observer.

SUB-STATION

DEPOT TRANSFER CLERK

NEW DEPARTURE PATTERNED AFTER BIG CITIES WILL FACILITATE MAIL TRANSPORTATION.

An important step toward a more metropolitan city was taken yesterday when a transfer mail clerk was installed in a sub-station at the Q. & C. depot. His duties will be the same as those of transfer mail clerks at the union depots in the big cities. Sacks will be assorted and those destined for points on the Q. & C. north or south bound or for the Louisville Southern will be kept in the station and not require re-handling in the Lexington postoffice, and for other railways, which make close connections will be dispatched immediately to them. Bags not "through" and "lay-over" stuff will be brought to the postoffice as formerly.

The departure is one which has been needed for some time, and the addition of a train from Louisville at 5:45 a. m. makes it a necessity. It will relieve the burden of the post office and will facilitate the speedier transportation of mail. The initial run of the L. S. "owl" was marked by a delay of 40 minutes, but arrived at 6:25 in time to make connections with all morning trains leaving Lexington. On the train was Chief H. B. Jenks, of the railway mail service, I. W. O'Donnell, superintendent of the dispatching department of the Louisville postoffice, and Chief Clerk C. L. Collins, of the Cincinnati division of the railway service. Postmaster Elkin met them at the depot and Mr. C. Tener, formerly of West Union, Ohio, and a railway mail clerk between Cincinnati and Somerset was installed as transfer clerk.

Later in the day Supt. H. M. Walte, of the Q. & C., met the postal officials in Postmaster Elkin's office and plans for the accommodation of the transfer clerk were made. The station will be established in a part of what is now the baggage room and will be made secure in accordance with postal regulations. The train which arrives here at 5:45 a. m. will return to Louisville at 6:10 p. m.

Others on the special were R. L. Offutt, G. E. Johnson and Haynes McPadden, of the Courier-Journal staff. The first special train was forty minutes late, owing to the delay of a freight train in Shelbyville. Returning the special train will leave Lexington at 6:10 a. m. and arrive in Louisville at 8:30. It will carry passengers in both directions.

Repulsive Features.

Blackheads, pimples, greasy faces and muddy complexions, which are so common among women, especially girls at a certain age, destroying beauty, disfiguring and making repulsive, features which would otherwise appear attractive and refined, indicate that the liver is out of order. An occasional dose of Iloerbin will cleanse the bowels, regulate the liver and so establish a clear, healthy complexion. 50c at C. A. Johns.

LOCAL STAGE

Ada Rehan and Otis Skinner Tonight. Two famous players, who are extremely popular throughout this country, where neither has been seen heretofore except as an individual star at the head of his or her company, will appear in conjunction tonight at the opera house as the specially engaged attraction for a single presentation of Sheridan's immortal masterpiece, "The School for Scandal."

Ada Rehan and Otis Skinner require no extended introduction to local theatergoers. Miss Rehan has been the acknowledged stage idol of cultured metropolitan theatergoers for the past decade. Ada Rehan was affirmed "Queen of Classic Comedy" by the foremost critics of America, England, France and Germany and her triumphant career has no parallel for brilliancy in the annals of the American stage. Otis Skinner has long been regarded one of the most scholarly and admirable native actors and is easily most prominent today among representatives of the standard repertory. "When Johnny Comes Marching Home" At last it has been demonstrated for the success of a new opera to put the chorus girls in tights. In the new comic opera, "When Johnny Comes Marching Home," that will be presented by the Whitney Opera Company at the opera house Friday evening and which has made one of the most pronounced popular successes there is not a pair of lights worn, in fact, the girls go the other extreme, wearing the voluminous crinoline hoop skirts of their grandmothers and they look prettier than they ever did. The advance sale opens tomorrow.

It takes a 60 foot baggage car to carry the scenery and effects of the "The Great Lafayette" Company which is billed to appear at the opera house Saturday, matinee and night. The company numbers fifty people—men, women and children, horses, a forest bred lion and other animals are used in the production of "Krishna the Divine." Lafayette also carries his own band and orchestra of thirty soloists. It is claimed that this is the best attraction that "The Great Lafayette" has ever presented. If such is the case we have not the slightest doubt but what he will be greeted by crowded houses during the engagement here, as our theater-going public are not slow in patronizing an attraction of merit. The sale of seats opens Thursday morning. The matinee will be at popular prices.

No Pity Shown.

"For years fate was after me continuously," writes F. A. Guldge, Verbena, Ala. "I had a terrible case of Piles causing 24 tumors. When all failed Bucklen's Arnica Salve cured me. Equally good for Burns and all aches and pains. Only 25c at McAdams & Morford's Drug Store."

HANDSOME HOME PURCHASED.

Mr. Gus Macey has purchased of Mr. L. G. Cox, of the firm of Graves, Cox & Co., his handsome home in Loudon Park. The price paid was \$7,750. The home is one of the handsomest in Lexington and is at present occupied by the Rev. John S. Shouse. The property was built by President Patterson, and is known as the Patterson property. Mr. Macey will take possession March 1.

Cures Sciatia.

Rev. W. L. Riley, L. L. D., Cuba, New York, writes: "After fifteen days of excruciating pain from sciatic rheumatism, under various treatments, I was induced to try Ballard's Snow Liniment, the first application giving my first relief, and the second, entire relief. I can give it unqualified recommendation." 25c, 50c and \$1.00 at C. A. Johns.

STOLEN SHOES RECOVERED.

George Thomas, a negro boy, was arrested yesterday on a warrant sworn out by Frank Block, charging him with petit larceny. It is alleged that Thomas stole a pair of shoes from in front of Block's store on Water street. The shoes were found in possession of Joe Elvove to whom the boy had sold them for fifty cents, and the shoes were identified by Mr. Block at the police headquarters. It was learned that Thomas was an inmate of the Reform School and he was returned to that institution.

The Boss Worm Medicine.

H. P. Kumpke, Druggist, Lexington, Ala., writes: "One of my customers had a child, which was sick, and threw up all food, could retain nothing on its stomach. He bought one bottle of White's Cream Vermifuge, and it brought up 119 worms from the child. It's the boss worm medicine in the world." White's Cream Vermifuge is also the children's tonic. It improves their digestion and assimilation of food, strengthens their nervous system and restores them to the health, vigor and elasticity of spirits natural to childhood. 25c at C. A. Johns.

PROMINENT CITIZEN ILL.

MIDWAY, Ky., Jan. 4.—(Special.)—Mr. James R. Nutter, one of the most prominent citizens of Scott county, and one of her leading farmers, is seriously ill at his home near Paynes Depot. Several months ago he suffered a paralytic stroke, from which he has never fully recovered.

Night Was Her Terror.

"I would cough nearly all night long," writes Mrs. Chas. Applegate, of Alexandria, Ind., "and could hardly get any sleep. I had consumption so bad that if I walked a block I would cough frightfully and spit blood, but, when all other medicines failed, three \$1.00 bottles of Dr. King's New Discovery wholly cured me and I gained 58 pounds." It's absolutely guaranteed to cure Coughs, Colds, La Grippe, Bronchitis and all Throat and Lung Troubles. Price 50c to \$1.00. Trial bottles free at McAdams & Morford's drug store.

DEMOCRATIC PRIMARY FIXED.

MIDWAY, Ky., Jan. 4.—(Special.)—The Democratic County Committee has fixed Saturday, February 25th, as the date for the primary to select nominees for the various county offices. An early primary was desired by the candidates. The election will not be held until November, 1905.

Brutally Tortured.

A case came to light that for persistent and unmerciful torture has perhaps never been equaled. Joe Golobick, of Colusa, Calif., writes: "For 15 years I endured insufferable pain from rheumatism and nothing relieved me, though I tried everything known. I came across Electric Bitters and it's the greatest medicine on earth for that trouble. A few bottles of it completely relieved and cured me." Just as good for Liver and Kidney troubles, and general debility. Only 50c. Satisfaction guaranteed by McAdams & Morford, Druggists.

NEW CITY COUNCIL SWORN IN.

MIDWAY, Ky., Jan. 4.—(Special.)—The new City Council, which was elected at the last November election, was sworn in today. The new Council is composed of the following members, viz: Dr. W. E. Elett, L. F. Sutherland, J. P. Haley, R. K. Combs, Dr. R. W. Hicks and J. M. Wheeler. The retiring Council was composed of the following members, viz: Dr. B. F. Parrish, Dr. H. C. Kasselmann, G. H. Wise, L. F. Sutherland, R. Godson and W. G. Lehman.

The Perfect Liver Medicine.

Mrs. M. A. Jolley, Noble, O. T., writes: "I have used Hering's for a number of years, and can cheerfully recommend it as the most perfect liver medicine, and the grandest blood purifier. It is a medicine of positive merit, and fully accomplishes all that is claimed for it." Malaria can not find lodgment in the system where the liver is in perfect order, for one of its functions is to prevent the absorption of fever producing poisons. Hering's is a most efficient liver regulator. 50c at C. A. Johns.

Jaggles—What are the grounds of divorce?

Vaggles—His better half claims she didn't know how her other half lives.—Judge.

Working Night and Day.

The busiest and mightiest little thing that ever was made is Dr. King's New Life Pills. These pills change weakness into strength, listlessness into energy, brain-fog into mental power. They're wonderful in building up the health. Only 25c per box. Sold by McAdams & Morford.